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THE

CONTINUATION

OF

Mr. RAPIN's

HISTORY

OF

ENGLAND;

From the REVOLUTION to the Preſent Times.

29664

By N. TINDAL, M. A.
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ILLUSTRATED WITH
MAPS, GENEALOGICAL TABLES, and the HEADS and MONUMENTS of the KINGS.

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THE HISTORY OF ENGLAND.

BOOK XXXII.

CHAP. I.

State of the nation—king's revenue ſettled—coronation—proceedings with Spain—convention with the duke of Wolfenbuttel—new parliament meets—its proceedings—character of ſir Robert Walpole—Heſſians voted—money-bills debated—ſtate of the national debt—the congreſs of Soiſſons—arrival of the prince of Wales in England—farther negotiations for peace—a new parliament meets—debates—Spaniſh depredations—debate about Gibraltar—enquiry into the public gaols.

HIS majeſty king George II. acceded to the crown, at a juncture that was critical to the liberties of Europe, but not dangerous to the peace of England. The broils that had been raiſed in Europe by the counter treaties of Vienna and Hanover, ſtill continued in the cabinets of the ſeveral powers intereſted; but the nation at home ſeemed to be perfectly united in the vigorous ſupport of its own rights, and of the ſucceſſion in the houſe of Hanover. 1727. State of the nation.

On the 14th of June, 1727, his majeſty in council made a declaration that he would maintain the religion, laws, and liberties of the kingdom, and likewiſe the alliances entered into by his late majeſty, which had, in a great meaſure, contributed His majeſty's declaration, and proceedings of parliament.

Geo. II. 1727. buted to reſtore the tranquillity of Europe. The next day, the parliament met purſuant to the act of the 4th of queen Anne, but was prorogued by commiſſion to the 27th of June, the day of their laſt prorogation. At their meeting on that day, his majeſty's ſpeech was ſuch as gave an early omen of that paternal care he ever after exerted for the happineſs and welfare of his people, and his regard for their rights, privileges, and poſſeſſions. It appeared, however, that his plan of government with regard to foreign affairs was the ſame with that of his father, and that he was reſolved to adhere to the engagements the late king had entered into by the treaty of Hanover, which, he ſaid in his ſpeech, had had ſo good an effect as to make him think of reducing the public expence.

Upon the king's withdrawing from the houſe of peers, that houſe, upon a motion from the earl of Cheſterfield, which was introduced by a pathetic ſpeech, agreed unanimouſly to an addreſs of condolance and congratulation; and then the houſe of commons, with the ſame unanimity, voted the like addreſs upon a motion from Sir Paul Methuen; and the ſame was drawn up by Sir Robert Walpole, in terms that ſufficiently proved he thought himſelf ſecure of all the influence and power which he poſſeſſed under the late king. The commons, however, went farther in their addreſs than the peers did in theirs, for they congratulated his majeſty upon the preliminary articles of a general peace being ſigned.

On the 29th of the ſame month, the houſe of commons came to the unanimous reſolution that a ſupply be granted his majeſty, "for the better ſupport of his majeſty's houſhold, "and the honour and dignity of the crown." When the ſupply on the 3d of July came to be conſidered, ſir Robert Walpole, as chancellor of the exchequer, put the houſe in mind, that though the late king had 700,000l. a year ſettled upon him for the civil liſt, yet it had every year fallen ſhort, and they had been obliged to make it up another way. That, his preſent majeſty had a large family, and muſt ſettle an houſhold for his royal conſort. He therefore moved, "That the entire revenues of the civil liſt, which "produced about one hundred and thirty thouſand pounds a "year, above the ſaid yearly ſum of 700,000l. might be "ſettled upon his majeſty during his life."

This motion was immediately conſidered as the price which the miniſter had paid for the continuance of his power, though he backed it with ſtrong arguments; nor did it fail to open the mouth of oppoſition. Mr. Shippen, who had for many years indiſcriminately oppoſed all miniſterial motions and

Debates in the houſe of commons,

and measures, immediately launched out into wide encomiums upon the frugality and public spirit of queen Anne, and drew a kind of a parallel that was by no means to the advantage of the present administration. Geo. II. 1727.

His speech, at any other time, would have been both answered and animadverted upon, but the plan upon which the administration resolved to proceed, required that matters might be exaggerated, and parties exasperated as little as possible; and the house came to an unanimous resolution to grant to his majesty the same civil list money that his father had enjoyed. The second time the bill was read, a message was delivered by sir Paul Methuen, the treasurer of the household, from the king, recommending the making further provision for the queen, in case of his majesty's demise. The success of this message was considered as the touchstone of the minister's power, nor did it remain long in suspence, for a grand committee of the commons resolved, after considering the message,

1st, That a provision be made for the queen, in case she should survive his majesty, of one hundred thousand pounds per annum, during her life, to support her royal dignity, together with his majesty's palace of Somerset-house, and the lodge and lands at Richmond Old-Park. Provision for the queen:

2dly, That his majesty be enabled to charge the said one hundred thousand pounds per annum, on all or any of the duties or revenues settled or appointed for the better support of his majesty's household, and the honour and dignity of the crown, which shall subsist after his majesty's demise. and the civil list.

All those resolutions were agreed to, and on the 8th of July, upon a message presented by the treasurer of the household for that purpose, a bill was brought in to enable his majesty to be governor of the South-sea Company; which, with all the bills we mentioned, and several others, past with little opposition and less debate.

His majesty's speech to parliament at the close of this short session, was a plain proof how well he, or to speak in the language of the opposition, the minister was pleased with their proceedings. He thanked the members for the provision they had made for the support of his family and the civil government, and for the ample provision they had made for the queen. He then subjoins the following remarkable paragraph; "My lords and gentlemen, It is a great happiness "to me to see the nation in so prosperous and flourish- "ing a condition, at the highest pitch of glory and reputa- "tion, of great weight in holding the balance of Europe, Speech at the close of the session.

Geo. II. 1727. "defending themſelves in their juſt privileges and poſſeſſions, "and vindicating the honour of the crown of Great Bri- "tain."

After commending, in very elegant terms, the mutual concord and forbearance that ſubſiſted between the church of England and the proteſtant diſſenters; he thus proceeds, "From theſe happy and favourable conjunctures has flowed "that general tranquillity, that riſe of public credit, and "that improvement of trade and commerce, which have great- "ly encreaſed our wealth and power, and given us that re- "ſpect and influence abroad which has ſo much advanced the "glory and happineſs of this nation." His majeſty then proceeds to recommend to the nation the ſteadineſs and unanimity in public buſineſs which that parliament had ſhewn. Then the parliament was prorogued to the 29th of Auguſt, but on the 7th it was diſſolved by proclamation, and a new one called.

Settlement of the miniſtry.

His majeſty now proceeded to ſettle his miniſtry, his council, and his houſhold; and that, in ſuch a manner, as proved he was reſolved to give the preference to the friends of his family, and of public liberty. The ſeals of the ſecretaries of ſtate were continued with the duke of Newcaſtle and the lord Townſend; Mr. Pelham, the duke's brother, was appointed ſecretary at war. The duke of Rutland was appointed chancellor of the dutchy of Lancaſter. Sir Robert Walpole was appointed chancellor of the exchequer, and firſt lord of the treaſury; and, by the union of theſe two offices in his perſon, was conſidered as prime miniſter of ſtate; the other lords of treaſury, were ſir Charles Turner, Mr. Doddington, ſir George Oxenden, and Mr. Clayton. Lord Torrington was placed at the head of the admiralty, and the other members of that board were, Mr. Cockburn, ſir John Norris, and ſir Charles Wager, ſir Thomas Littleton, the lord Malpas, and Mr. Molyneux. The earl of Cheſterfield was appointed to go embaſſador to Holland, and the lord Carteret was made lord lieutenant of Ireland.

The coronation. See Vol. XVIII. p. 325.

The other domeſtic tranſactions of this year are of little importance to a general hiſtory of England. The reader, from the deſcription of the coronation of the late king, may form an idea of that of the preſent, which, with that of the queen, was performed with all poſſible magnificence on the 11th of October [a].

Mean-

[a] Beſides the ordinary officers of ſtate, who, in their ſeveral ranks, filled up the proceſſion, the duke of Dorſet acted that day as

Meanwhile the general election for members of parliament was going on in the nation, with a ſpirit, which ſufficiently teſtified the confidence which the people of England repoſed in the adminiſtration. But, we are now to take a view of foreign affairs during the remaining part of this year. Geo. II. 1727.

The reader, towards the cloſe of the laſt volume, will find the articles preliminary to a general pacification, ſigned at Paris, on Saturday May $\frac{30}{31}$, 1727, on the part of the emperor, his Britannick majeſty, the moſt Chriſtian king, and the States-General; he will likewiſe find there an account of what immediately followed, and the obſtacles raiſed in the execution of them by the court of Spain. It is certain, that the Foreign affairs. See Vol. XIX. p. 588.

as lord high ſteward, the duke of Richmond as lord high conſtable; the ſceptre, with the dove, was born by the duke of Argyle; the orb by the duke of Somerſet; the duke of Kent bore St. Edward's ſtaff, the duke of Mancheſter for Howard earl of Suſſex, (who acted that day as earl marſhal) bore the golden ſpurs, the duke of Montague the ſceptre, and the three ſwords of ſtate were carried by the earls of Pembroke, Lincoln, and Crawford. And the ſword in the ſcabbard was borne by the earl of Huntington. The queen's ivory rod with the dove was carried by the earl of Northampton, her ſceptre by the duke of Rutland, and her crown by the duke of St. Albans. His majeſty was ſupported by the biſhop of Durham on the right, and by the biſhop of St. Aſaph on the left hand. Her majeſty's right-hand was ſupported by the biſhop of London, and her left by the biſhop of Wincheſter. His majeſty's train was borne by four noblemens eldeſt ſons, lord Hermitage, lord Brudenell, lord Cornbury, lord Euſton, and at the end of it the maſter of the robes. Her majeſty's train was ſupported by the princeſs royal, and the princeſſes Amelia and Caroline in purple robes of ſtate, with circles on their heads; aſſiſted by the lady Frances Naſſau, lady Mary Capel, lady Rebecca Herbert, lady Anne Haſtings. Theſe particulars are inſerted as being proper for general hiſtory, whoſe duty it is to tranſmit the names of great perſonages, whom the king, upon great and extraordinary occaſions, has been pleaſed to honour.

Some days after the coronation, the court of claims, which conſiſted of members nominated by the king from among the chief nobility and the great officers of ſtate, to determine the claims of the ſeveral perſons, who either did, or pretended to officiate at the coronation, determined the ſeveral pretenſions of the parties, and the ſeveral quantities of plate adjudged to each were delivered. On lord-mayor's day, their majeſties and the royal family honoured the entertainments of the day with their preſence, and were complimented in a ſpeech by the recorder, which was ſo very loyal, that if he ſpoke the ſenſe of the magiſtracy and city, there was not then a ſhadow of diſaffection among them.

Geo. II. 1727. Imperial and the Spaniſh courts ſeemed, at that time, to act quite contrary to their general character. The Imperialiſts had formed great ſchemes of commerce, which muſt have been deſtructive to that of Great Britain and Holland; and the Spaniards ſo far forgot their character of indolence, that they made an attempt that all Europe looked upon, and they themſelves found by experience, to be impracticable, by beſieging Gibraltar. The Britiſh miniſtry appeared ſo much convinced, that thoſe two courts, in order to compaſs their favourite ends, intended to act for the pretender, that they ſuffered his late majeſty to declare the ſame from the throne; and they ſtill perſiſted in the ſame aſſertion. The Spaniſh miniſtry refuſed to raiſe the ſiege of Gibraltar, but moſt unreaſonably inſiſted that Mr. Vandermere, the Dutch ambaſſador at the court of Madrid, who was charged with the Britiſh affairs, ſhould remit to lord Portmore governor of Gibraltar, and to the Engliſh admirals, Wager and Hoſier, his Britannick majeſty's order to them for withdrawing their ſeveral ſquadrons, in conſequence of preliminary articles that had been ſigned at Paris. Mr. Vandermere, in a very ſenſible and ſpirited letter to the marquis de la Paz, miniſter and ſecretary to the king of Spain, endeavoured to ſhow him the abſurdity of this way of reaſoning. The Spaniards likewiſe refuſed to reſtore the South-ſea ſhip, Prince Frederick, becauſe it was taken at Vera Cruz before the commencement of hoſtilities between England and Spain. But, Mr. Vandermere obſerved, that, by the aſſiento treaty for negroes, it is ſtipulated, Article 40. "That in caſe of a declaration of war "between the two crowns, the South-ſea company ſhall have "a year and a half to withdraw their effects from India and "Spain." He then obſerved, very properly, that no quarrel between the crowns of England and Spain ought to affect the South-ſea company, by ſtopping or ſeizing any thing belonging to the ſame, which, continues he, "in the ſenſe of the treaties, ſhould have no concern with the hoſtilities between the two powers; therefore it is clear, that there ſhould not be the leaſt difficulty, for the reſtitution not only of that ſhip, but likewiſe of all other effects, of what nature ſoever, belonging to that company."

Dated July 25, N. S. 1727.

It appears, that the ſolidity of the reaſons urged by Mr. Vandermere, why the Britiſh fleets ſhould continue to cruize in the Spaniſh ſeas, and the air of reſolution with which he wrote, ſtartled the court of Madrid. They delayed giving the neceſſary diſpatch, which might enable his meſſenger to proceed on his journey, and endeavoured to cajole him by

by a declaration, that it was his catholic majeſty's intention, that Engliſh ſhips, from that inſtant, ſhould be admitted freely to trade on all the coaſts, and in all the ports of Spain, in the ſame manner, and with the ſame circumſtances as were practiſed in time of peace. Geo. II. 1727.

Before this tranſaction between the marquis de la Paz and Vandermere happened, the duke of Bournonville, the Spaniſh ambaſſador at Vienna, where there was no miniſter from Great Britain, as there was none from Spain at Paris, entered into an inſtrument, by which, in virtue of his full powers, he rendered the preliminary articles obligatory upon his Catholic majeſty, as if it had been ſigned by a miniſter of his Britannic majeſty, it being underſtood, that his ſigning was in conſequence of Mr. Walpole, the Britiſh ambaſſador at the court of France, having ſigned the ſame, which had been communicated to him by the duke de Richelieu, who appears to have taken great pains in compromiſing the affairs in diſpute. The duke farther undertook, that his engagement ſhould be obligatory upon the king his maſter, and that, within the time prefixed by the 12th of the preliminary articles, a ratification of them, by the catholic king, ſhould be tranſmitted to be exchanged for that of his Britannic majeſty. It is uncertain, whether the duke de Bournonville had ſufficient authority for entering into this engagement; or, whether the Spaniards, flattering themſelves with the hope of ſucceſs in their attempt upon Gibraltar, had declined making good this engagement; but it is certain they avoided it for a long time, till deſpairing of ſucceſs before Gibraltar, and the queen having encouragement from Mr. Vandermere, that the proſpects, if ſhe had any, for her family ſettlements, were moſt likely to be anſwered by the friendſhip of Great Britain, an expedient was fallen upon, by ſigning an act for the execution of the preliminary articles. This act accordingly was ſigned at Pardo, near Madrid, on the 6th of March, 1728; and was founded upon a declaration made by the count de Rothenbourg, on the part of his moſt chriſtian majeſty, and approved of by all the parties concerned.

Engagement of the duke of Bournonville for the king of Spain.

Act of the Pardo.

By this act, his Britannic majeſty engaged immediately to ſend orders to the admirals Wager and Hoſier, to withdraw from the Spaniſh ſeas, both in Europe and America; and that the caſe of the contraband trade, with every thing that had afforded a handle to the Spaniards for complaint, in relation to the ſhip Prince Frederic, and all matters concerning the mutual reſtitution of the prizes taken at ſea, with all pretenſions on each ſide, ſhould be left to the diſcuſſion and deci-

Geo. II. 1727.

ſion of the future congreſs, and that he would abide by what ſhould be there regulated.

Declaration and engagement of the duke de Rothenbourg.

The count de Rothenbourg, on the part of France, engaged for the due execution of whatſoever ſhould be determined at the congreſs; the immediate exchange of the ratifications, with the infallible and ſpeedy meeting of the congreſs, provided his catholic majeſty would agree; 1. Immediately to raiſe the blockade of Gibraltar, and eſtabliſh every thing on each ſide, comformable to the treaty of Utrecht. 2. To make immediate reſtitution of the ſhip Prince Frederic, and to reſtore the commerce of the Engliſh nation in America, according to the ſtipulations of the aſſiento treaty, and the ſecond and third articles of the preliminaries. 3. To deliver the effects of the Flotilla, and the galleons, when the latter ſhould arrive, to their true owners, according to the fifth article of the preliminaries. 4. To abide, in like manner, as his Britannic majeſty has engaged, by whatever ſhall be determined and decided.

All the above conditions were accepted of and confirmed by the marquis de la Paz, on the part of Spain, and the inſtrument of conſent to, and approbation of the whole, was ſigned by the Imperial miniſter count Konigſeg, the Britiſh miniſter Mr. Keen, (who then had the care of the South-ſea company's affairs at the court of Spain) and by the count de Rothenbourg, and the marquis de la Paz.

Convention with the duke of Wolfenbuttel.

While this negotiation was on foot, a treaty, which afterwards made a great noiſe in the world, was concluded at Weſtminſter, between his Britannic Majeſty, and the duke of Brunſwick-Lunenburg-Wolfenbuttel. Some affected to ridicule the ſecond article of this treaty, by which the ſerene duke promiſes his guaranty to the ſerene king, for the defence of his kingdoms of Great Britain and Ireland. This act of importance, however, was no more than a compliment that was due to a ſovereign prince of the empire, that had been allied to the greateſt potentates in Europe, and was the head of the houſe of Brunſwic, and no inconſiderable ſupport of the proteſtant intereſt in Germany. By the third article, the duke was to furniſh to his majeſty five thouſand men. By the fourth, his majeſty was to pay for the ſaid forces, being in readineſs to ſerve him, twenty-five thouſand pounds a year, for four years. By a ſeparate article it was underſtood, that the duke's troops were not to be obliged to paſs over to Great Britain or Ireland, but ſhould be employed, either in replacing troops that might be drawn from his majeſty's German dominions, or to be put into the garriſons of the States-

General, in caſe any of their troops ſhould paſs over to Great Britain. This treaty was ſigned on the part of the duke, by the count de Dehn, and on the part of his majeſty by the duke of Devonſhire, preſident of the council, the lord Trevor keeper of the privy ſeal, the duke of Newcaſtle, and ſir Robert Walpole. Geo. II. 1727.

We have choſen to repreſent in one view, the negotiations in Spain and that with the duke of Wolfenbuttel, becauſe they were at that time looked upon as very exceptionable tranſactions, and gave a greater handle for oppoſition than any others. It is true, it cannot be ſaid that any thing deciſive as to the general intereſts of Great Britain, was ſtipulated by the act, or rather convention, of Pardo, and that the whole negotiation had the air of being conducted by a ſuperiority which the French aſſumed in the cabinet, and in the direction of the affairs of Europe. But we are, at the ſame time, to conſider, that the ingratitude of the houſe of Auſtria, and the ambition of Spain, had thrown Great Britain into the arms of an ally whom ſhe could not truſt, and therefore it was much more eligible for her to temporiſe a little, eſpecially as ſhe had not ſacrificed any important point either of national intereſt or honour. So far from that, the terror of her arms had obliged the Spaniards to give up their favourite points, the ſiege of Gibraltar and their claim in the ſhip Prince Frederic, and the article referring the differences to the diſcuſſion of a future congreſs, was equally binding on all parties; not to mention that, in the nature of things, it never can be the intereſt of a trading nation to plunge into a war, if it can be honourably avoided. Reflection.

As to the treaty with the duke of Wolfenbuttel, it is extremely defenſible upon the principle, that it always will be the concern of Great Britain to have an eye to the ballance of power upon the continent, and eſpecially at a time when the houſe of Auſtria, abandoning its moſt natural intereſts, had entered into engagements which threatned the overthrow of the Engliſh conſtitution as well as commerce. Add to this, that no troops in Germany lay more convenient than thoſe of Wolfenbuttel did, for the ſervice in which they were hired, and no potentate was ſooner to be truſted by his majeſty than that prince.

On the 23d of January, the new parliament of Great Britain met at Weſtminſter, when Mr. Arthur Onſlow was choſen ſpeaker, with an unanimity which could only be inſpired by that opinion of his virtue and abilities, which his conduct has ſince ſo fully juſtified in a longer ſeries of public 1728. Proceedings of the new parliament.

Geo. II. 1728. lic and irreprehenſible ſervices in that ſtation, than any man ever diſcharged. His majeſty's ſpeech to both houſes at the opening of the parliament had a great air of frankneſs and ſincerity. He informed them that he had a probability of ſucceſs in reſtoring the tranquillity of Europe. "I am very ſenſible, continued he, of the diſagreeable and uneaſy ſituation in which our affairs have been for ſome time, and have been extremely concerned to ſee many of the inconveniencies of a war attending us, without any opportunity of reſenting the injuries we ſuſtained, or gaining any of thoſe advantages in return, which the vigorous proſecution of ſo juſt a cauſe, and the ſucceſs of our arms might probably have ſecured to us." He next proceeds to inform them of the difficulties that had ariſen in the execution of the preliminaries, and that though there was great reaſon to believe that the congreſs would ſoon open, and all difficulties be removed, yet that it was abſolutely neceſſary to continue their warlike preparations, which had hitherto prevented an open rupture in Europe, and had given the Engliſh nation advantages which would be loſt through a diſcontinuance of their military preparations. Then, after the ordinary profeſſions and promiſes of frugality and willingneſs to reduce the national expences, as ſoon as the intereſt of his people would permit it, he recommends to their conſideration, the encreaſe and encouragement of our ſeamen in general, that they may be invited rather than compelled to enter into the ſervice of their country, "a conſideration, (ſaid he, addreſſing himſelf to the houſe of commons) worthy of the repreſentatives of a people great and flouriſhing in trade and navigation." He next recommends to them the care of making an addition to the fund of Greenwich hoſpital. He then concludes with recommending unanimity, zeal and diſpatch, "to convince the world, continues he, that none amongſt you are capable, out of any views or conſiderations whatſoever, to wiſh the diſtreſs of their country, or to give an occaſion, from the proſpect of difficulties that may ariſe, and be fomented here at home, to interrupt or diſappoint our preſent promiſing expectations."

His majeſty's ſpeech, and proceedings upon it.

This ſpeech, which was, in general, looked upon as what the publick called an honeſt one, and was acknowledged to be very little daſhed with miniſterial brewage, had a very good effect. The lords agreed unanimouſly to their addreſs; that of the commons was moved for by lord Harvey, eldeſt ſon of the earl of Briſtol, and carried without a diviſion. Thoſe addreſſes, which (as they generally are) were, in ſubſtance,

ſtance, no other than the ecchoes of the ſpeech, were interſperſed with ſeveral high, and not inelegant ſtrains of compliment to his majeſty; and that of the houſe of commons drew from him an [c] anſwer ſo pleaſing to the members, that they unanimouſly reſolved to return the moſt humble thanks of the houſe for it, by another addreſs. Geo. II. 1728.

After a reſolution to grant a ſupply to his majeſty, the commons called for the eſtimates, 1ſt, Of the ordinary of the navy. 2. Of the charge for guards, garriſons, and land-forces for the current year. 3. For the charge of the ordnance for land ſervice. 4. A liſt of the regimental and warrant half-pay officers. 5. An account of the ſervices incurred, and not provided for by parliament. 6. An eſtimate of the charge of the out-penſioners of Chelſea hoſpital. All thoſe liſts and eſtimates were confined to the current year. 7. An account how the money given for the ſervice of the year 1727, hath been diſpoſed of. 8. A ſtate of the navy debt as it ſtood at Chriſtmas laſt. 9. An account of the exceſs or ſurpluſs of the aggregate fund, the South-ſea fund, and the general fund. Feb. 3.

Theſe neceſſary lights being all obtained in due and uſual form, the commons unanimouſly voted 15,000 ſeamen for the ſervice of the year 1728. On the 9th of February a motion was made for employing 22,955 land forces for the year 1728, being about 3600 men fewer than the laſt ſeſſion of parliament had provided for. This introduced a debate upon the general topics of ſaving to the nation; the danger of the conſtitution from a numerous ſtanding army, and the little effect which the augmentation troops raiſed laſt year produced, or was likely to produce in favour of Great Britain; and which for that reaſon ought to be then reduced. But notwithſtanding all the efforts of the oppoſition, the committee kept ſitting, after a majority upon a diviſion of 290 againſt 84, and agreed to the report of the number of land forces that had been propoſed. The commons then

[c] GENTLEMEN,

I give you thanks for this very loyal and affectionate addreſs. Such returns of duty and gratitude from my faithful commons would add, if any thing poſſibly could, to my reſolutions of promoting and conſulting upon all occaſions the welfare and proſperity of my people. The entire confidence you place in me, will engage me more ſtrictly to make uſe of the power and truſt you have repoſed in me, for your intereſt and to your ſatisfaction, and you ſhall always find my readineſs to eaſe and reduce the expences of the public to your expectations.

proceeded

Geo. II. 1728. proceeded to take into their conſideration, all the treaties [b] and public acts of government which in conſequence of their addreſſes to the throne had been laid before them, all which have already been tranſcribed or mentioned in the courſe of this hiſtory.

The oppoſition, though ſenſible of the diſparity of their forces, were far from being diſcouraged by the ſuperiority of their adverſaries. The very circumſtance, that of the duration of the miniſter's power, nay, the encreaſe of it, which, in any other country, would have irretrievably ruined their hopes, in this, where popular intereſt and ſentiments have ſo great a ſway, encouraged them to believe, that it would at laſt effect his downfal, if not his ruin. They imagined that his influence, which in matters of government now ſeemed to be ſo deciſive, inſtead of being his ſecurity, muſt in the end prove his ruin, and they would have found their opinion well

[b] Ibid.

Copy and tranſlation of the treaty between Great Britain and Spain, concluded at Madrid the 13th of June, N. S. 1721.

Copy and tranſlation of the defenſive alliance between Great Britain, France and Spain, concluded Madrid the 13th of June, N. S. 1721.

Copy and tranſlation of the ſeparate article of the defenſive alliance between Great Britain, France and Spain, concluded at Madrid the 13th of June, N. S. 1721.

Copy and tranſlation of another ſeparate article of the defenſive alliance between Great Britain, France and Spain, concluded at Madrid the 13th of June, N. S. 1721.

Copy and tranſlation of the preliminary articles ſigned at Paris, the 31ſt of May, N. S. 1727.

Copy and tranſlation of the declaration ſigned by Mr. Walpole at Paris the 31ſt of May, N. S. 1727.

Copy and tranſlation of the duke of Bournonville's declaration ſigned at Vienna, the 13th of June, N. S. 1727.

Copy of the king and kingdom of Sweden's acceſſion to the treaty of Hanover, dated at Stockholm, the 14th of March 1726-7, and tranſlation.

Copy of the ſeparate articles and the ſecret one belonging to the ſaid acceſſion, dated March 14, 1726-7, and tranſlation.

Copy of the treaty between Great Britain, France and Denmark, dated at Copenhagen, April 16, 1727, and tranſlation.

Copy of the ſeparate and ſecret articles belonging to the ſaid treaty, dated at Copenhagen the 16th of April 1727, and tranſlation.

Copy of the treaty between Great Britain and the duke of Brunſwick Lunenburg Wolfenbuttel, dated at Weſtminſter the 25th of November 1727, and tranſlation.

Copy of the ſeparate articles belonging to the ſaid treaty, dated at Weſtminſter the ſaid 25th of November 1727, and tranſlation.

grounded

grounded much ſooner than they did, had that miniſter been any other than ſir Robert Walpole. Geo. II. 1728.

They who think he was a man of abilities, but not of genius, are miſtaken, through the wrong conceptions they have of the word genius, when applied to the political character of a great man. The diſcernment of characters is the true, if not the only teſt of genius that a miniſter can diſcover in a country, where the radical nature of the government admits ſo many, and even his enemies, to be the controulers of his adminiſtration, and, in a conſtitutional ſenſe, the partners of his power. No man ever poſſeſſed this diſtinguiſhing characteriſtic of political genius, (for in that light only he is to be conſidered here) more than ſir Robert Walpole did; and, to his honour be it remembered, that he acquired it by the gifts of nature; and by that ſociability which he inherited from his birth, improved by his experience; and which, his greateſt enemies never denied to be, almoſt, peculiarly his. In this uſeful diſtinction, he was unrivalled by any of his antagoniſts; for though they were maſters of talents, flaſhy, popular, and plauſible, they fell far ſhort of him in the practicable and parliamentary parts of buſineſs. Character of ſir Robert Walpole.

Notwithſtanding all the clamour, heat, and virulence of his enemies, and though, after he reſigned his places, they were armed with inquiſitorial powers, yet were they unable to bring one inſtance of any violation being offered to public or perſonal liberty, or any attempt to invade property of any kind, or to defeat the ordinary courſe of juſtice, during his long adminiſtration. All that his enemies, with their utmoſt accuracy, diſcovered or could prove againſt him, ſcarcely deſerved animadverſion, far leſs cenſure or puniſhment; a proof of regard for the conſtitution and laws, which perhaps no hiſtory can equal during ſo extended a continuance of power as ſir Robert Walpole enjoyed.

The greateſt reproach, perhaps, the greateſt misfortune of his adminiſtration, was his applying himſelf only to the knowledge of men, as they could be immediately uſeful in parliament. He was poſſeſt of what is looked upon to be a competency of learning for a gentleman of fortune, but the cultivation of that went no farther than as he thought it might be uſeful to his miniſterial capacity. At the ſame time that he was ſenſible, by his own experience, while he himſelf was in an oppoſition, of the power of the preſs, no man ever ſet it to work with ſo little judgment as he did. He looked upon writing to be a mechanical kind of buſineſs, and he took up with the firſt pen that he could find in public offices, or whom

Geo. II. 1728.

whom he could oblige by private liberality; and it was very ſeldom he ever read over the pamphlets or papers that were wrote even in defence of his own meaſures. He looked upon political writing as a kind of a currency, that would paſs by its nominal value, let its intrinſic worth be ever ſo inconſiderable. This inconceivable error in ſo great a man as ſir Robert Walpole, can be aſcribed only to his application to buſineſs, or to his relaxation from it, which did not admit of his entering upon any diſcuſſion of literary matters.

His behaviour in parliament was ſometimes unequal to that vaſt ſhare of good nature, good ſenſe, and inflexible reſolution he was poſſeſt of. After being teized, he was apt to be irritated, by the ſarcaſms thrown out againſt his perſon and adminiſtration, and his adverſaries often went unwarrantable lengths in calumniating his meaſures, which they puſhed to the more advantage, as they knew that he had prudential conſiderations which hindered him from entering into a preciſe defence of them. Becauſe, in ſuch an aſſembly, the competition muſt be unequal, when what was really expedient was ſet in competition with what was rigorouſly conſtitutional. Perhaps, his own nature, which was eaſy, compliable, and placable, led him to juſtify, upon the principles of expediency, ſome things that were not ſtrictly conformable to the ſevereſt principles of the Britiſh government.

After he became firſt miniſter, his eloquence in parliament was ſometimes palliative; its reſources lay not in ſtudy or reading, but in the vaſt knowledge he had in parliamentary buſineſs, and his knowing the temper of his friends, who, he was ſenſible, would go certain lengths with him, and no farther. This conviction kept him always, even in the plenitude of his power, decent, while no perſonality was his object. That ſeldom happened to be the caſe, but when it was, he ſometimes loſt himſelf, which his enemies did not fail to improve greatly to his diſadvantage.

His affections for his friends and family were ſtrong, and prevailed upon him to keep poſſeſſion of power ſo long, that he found it at laſt dangerous both for himſelf and them to quit it. This was the true ſource of all that was real in the charge of corruption that was ſo general in the mouths, and dropt from the pens of his enemies. The venal part of parliament were his friends or enemies, as intereſt directed them; and his ſituation often obliged him to gratify them with profitable conſiderations, even for voting according to their conſciences. If his meaſures ſometimes were wrong, thoſe of his antagoniſts were not always right; for they directed

rected their oppoſition equally againſt the juſtifiable, as the queſtionable, parts of his adminiſtration. Geo. II. 1728.

That he was a profeſſed friend to peace, and that he made great, though not ſhameful, conceſſions to preſerve it, cannot be denied. But the ſilent benefits his country was daily reaping from this maxim, could not prevent the clamour which envy and diſappointment, reſentment and ambition raiſed againſt his adminiſtration. At the ſame time it muſt be acknowledged, that no man ever poſſeſſed more intrepidity both political and natural, than he did, after he was once determined in his meaſures. As a ſpeaker in parliament he was cool and clear; he ſpoke perhaps a little too frequently for a man of his diſtinction, but, that might be owing to his really underſtanding buſineſs better than any friend he had about him, and therefore could better explain it. He was not what, in a claſſical ſenſe, may be termed eloquent, but in another ſenſe he had a more uſeful talent, for he juſt poſſeſſed that kind of elocution that could moſt effectually operate upon the minds of the aſſembly where he ſpoke. Through the loſs of ſome teeth, his pronunciation towards the latter end of his life, was a little inarticulate, but it was always intelligible. His perſon was tall, though ſomewhat unwieldy; but his preſence was noble and benign. Had he not been a miniſter it had been impoſſible for him to have had an enemy.

It was thought proper to enlarge a little on a character of ſo much importance, that has been tortured to all extreams, and miſrepreſented by all writers. He was at the time we are treating of, at the heighth of his power. But the oppoſition, tho' few in number, acted with firmneſs, unanimity, reſolution, and ſome of them, upon principle. The intereſted part of them were exaſperated by diſappointment of their expectations that his credit would be ruined upon a change of ſovereigns.

The eſtimate for the Heſſian troops gave riſe to the firſt conſiderable debate that was in the ſeſſion. It had not been called for by the houſe, but had been preſented to it by Mr. Pelham ſecretary at war, by his majeſty's command, and the ſum amounted to 230,923l. for 12,000 men, horſe, dragoons, and foot. Theſe troops had been engaged through the very earneſt deſire which the late king and his miniſter had to maintain the tranquillity of Europe, and to anſwer the ends of the treaty of Hanover. This was explained by Mr. Horatio Walpole the miniſter's brother, who ſaid the tranquillity of Europe being ſtill precarious, the original reaſon which had been ap- Debates about the Heſſian troops.

Geo. II. 1728. proved of by parliament, for taking thoſe troops into Britiſh pay, ſtill ſubſiſted. On the other hand, ſir William Windham, Mr. Daniel Pultney, ſir Wilfrid Lawſon, and others, endeavoured to ſhew, that the demand was prepoſterous, becauſe, by the treaty of Hanover, the contracting parties were obliged to furniſh their contingencies either in troops, ſhipping, or money, only within two months after demand made by the party attacked. To this it was replied on the part of the adminiſtration, that though the treaty did leave it optional for the party called upon, not to furniſh his contingencies ſooner than two months after requiſition; yet, that the ſtate of affairs in Europe rendered it prudent for his late majeſty, to have in readineſs, at all events, the troops ſtipulated, which were cheaper to the nation, and more convenient for the common cauſe, than any Britiſh forces that could be employed. That the differences which ſince the ſigning the treaty of Hanover had ariſen between the courts of Great Britain and Pruſſia, (one of the three principal contracting parties in the treaty of Hanover) having occaſioned a material and unforeſeen diſappointment in the carrying the purpoſes of the ſaid treaty into execution, the reaſon for hiring and continuing the Heſſian troops in Britiſh pay, became indiſpenſable; that experience had evinced the meaſure to be wiſe and proper, becauſe it had preſerved the tranquility of Germany, an object highly meriting the attention of the Britiſh nation; and that, upon the whole, not only prudence, but neceſſity, required it ſhould be continued till the event of the approaching congreſs of Cambray was known.

The debates ſeeming as if intended to try the ſtrength and numbers of the oppoſition; the miniſter did not think it neceſſary to ſpeak on it, and Mr. William Pultney one of his capital antagoniſts was abſent. But notwithſtanding the ſuperiority of reaſoning on the part of the court, the queſtion came to a diviſion, and was carried by a majority of 280 againſt 84.

Diviſion upon the ſame.

The exigencies of government this year demanding extraordinary ſupplies of money, a propoſition in conſequence of a motion in the houſe of commons, was made by the lords of the treaſury to the directors of the bank; upon which a general court was called, and the propoſal was laid before them by their governor Mr. Morice. The propoſal was, That the bank might advance 1,750,000 for the purchaſe of 70,000 l. per ann. of the duty upon coals, to be converted into annuities, and that the bank be empowered to ſell or

Propoſal to the bank.

diſpoſe of thoſe annuities, at ſuch times and proportions as they ſhall judge proper: and that the ſinking fund ſhall be applied to pay off one million at the bank. Geo. II. 1728.

The general court, as the court of directors had done before, agreed to this propoſal without either debate or diviſion, and their unanimous compliance was very juſtly conſidered to be a ſtriking proof of the vaſt intereſt the miniſter had with the money'd part of the nation. The city of London however, preſented a petition to the houſe of commons, on the 26th of February, on the affair of the coal tax, importing, That the duties already laid upon coals and culm imported into the port of London only, affect their trade, and the inequality of the burthen thereof, is a great diſcouragement to the manufactures as well as an hardſhip upon the whole trading people in and about the city of London; and praying the conſideration of the houſe, and ſuch relief as to the houſe ſhall ſeem meet. Agreed to.

Though nothing could be more abſurd and unreaſonable than the principles and drift of this petition, yet it found its abetters in the oppoſition, who expected great advantages for connecting their own intereſts with thoſe of the city; but it was rejected by a majority of 214 voices againſt 92. Diviſion in the houſe of commons.

The increaſe of national expences, however, gave great advantages to the oppoſition, and ſome of the heads of it publiſhed a ſtate of the public debts, in which they attempted to prove, that the national debt was encreaſed ſince the ſinking fund was erected. When the loan by the bank came to be debated, Mr. William Pultney ſpoke a good deal to that purpoſe; he called the ſhifting of funds a perpetuating of taxes, and putting off the evil day, and inſiſted upon it that the ſinking fund was no other than a pompous project, which ſince its being carried into execution had ſwelled the national debt. Sir Nathaniel Gould, a member and a merchant, ſaid, he ſuppoſed that gentleman had his notions out of a treatiſe lately publiſhed, on the ſtate of public debts (ſuppoſed to be written by that very gentleman) but that if he underſtood any thing, it was numbers, and he durſt pawn his credit and reputation to prove, that author's calculations to be falſe and erroneous. Mr. Pultney being ſo poſitive on the other hand, that the calculations of that book were juſt, and the queſtion being a matter of fact rather than of opinion, Sir Robert Walpole interpoſed as being a matter that perſonally touched himſelf, and juſtified the fact that ſir Nathaniel had advanced; but Mr. Hungerford, a member noted for jo- Farther debates upon the money bill.

Geo. II. 1728. cularity, diverted their jarring from having any farther conſequences.

On the 26th of February, three weeks after the firſt day of the ſeſſion, the whole ſupply, amounting to near four millions, was voted, and it is proper to exhibit to the reader at one view, the particulars which he will find in the notes [c].

Addreſs of the commons for an account of money.

The commons having addreſſed the king for the particulars of the diſtribution of the money that had been granted laſt year,

			l.	s.	d.
[c] Feb. 7 and 8.	For	15,000 ſeamen, —	780,000	0	0
		Ordinary of the navy,	205,661	14	9
Feb. 9 and 10.	For	22955 men, land-forces, guards and gariſons,	786,974	2	9
Feb. 12 and 13.	For	Garriſons in the plantations, Minorca, and Gibraltar, —	158,009	11	0
		Out penſioners of Chelſea hoſpital —	10,847	15	10
		Extraordinary expences and ſervices —	50,428	16	10
		Reduced officers —	58,000	0	10
Feb. 14 and 15.	For	1200 Heſſians —	230,923	11	8
Feb. 19 and 20.	For	Subſidy to the king of Sweden —	50,000	0	0
		Subſidy to the duke of Wolfenbottel —	25,000	0	0
		Ordinance for land-ſervice —	117,442	14	3
		Stores ſent to Gibraltar and Portmahon, deficiencies of 1727, —	279,360	1	1
Feb. 21 and 22.	For	Diſcharging loans at the exchequer —	90,000	0	0
		Diſcharging other loans,	103,140	0	0
		Redeeming an annuity 17,384l. 4s. from the South-ſea company	434,605	0	0
		Cancelling exchequer Bills —	338,800	0	0
		Total,	3,799,454	16	9
To anſwer which the following funds were aſſigned, viz.					
1. The malt tax, computed at —			750,000	0	0
2. The land tax, computed at —			1,500,000	0	0
3. The loan made by the bank on the annuity of 70,000 — —			1,750,000	0	0
		Amounting to	4,000,000	0	0

year, the ſame was laid before them, but two hundred and fifty thouſand pound not being particularly accounted for, they addreſſed the king for a peculiar and diſtinct account of the ſame [c]; upon which ſir Paul Methuen, by his majeſty's command, acquainted the houſe, "That the late king his majeſty's royal father, having on the like occaſion, received from "the laſt parliament, the moſt dutiful acknowledgments of "his great care and wiſdom, in taking ſuch ſteps, and entering into ſuch engagements as he thought would beſt conduce to the ſecurity of this kingdom and the preſervation "of the peace of Europe; and at the ſame time, the ſtrongeſt "aſſurance of their future ſupport, in all ſuch farther meaſures "as he ſhould find neceſſary and expedient for preventing a "rupture, and for the honour and advantage of theſe kingdoms: and a power being accordingly given by parliament "to his late majeſty, for iſſuing and applying ſuch ſums of "money as he ſhould find neceſſary, for anſwering and defraying ſuch expences and engagements, as had been, or "ſhould be made for theſe great and neceſſary purpoſes; ſome "part of the money mentioned in this addreſs, had been iſſued "and diſburſed by his late majeſty; and the remaining part "had been applied by his majeſty, for carrying on the ſame "neceſſary ſervices, for ſtrengthning his alliances, and in "fulfilling engagements of the utmoſt importance to the'e "kingdoms, and to the general tranquillity of Europe, and "which require the greateſt ſecrecy. His majeſty therefore "hopes, that this houſe will repoſe the ſame confidence in "him, and be aſſured, that the money has been neceſſarily "expended, purſuant to the power given by act of parliament, "and for the uſes and purpoſes thereby directed; and a particular and diſtinct account thereof cannot be given without manifeſt prejudice to the public."

Geo. II. 1728.

Anſwer to the ſame.

It muſt be acknowledged that this anſwer, though precedented, was not ſtrictly parliamentary; but, in fact, the intereſts of Great Britain were at that time ſo complicated with the continent, that the ſyſtem of government did not admit of too minute explications. The oppoſition puſhed this advantage as far as it could go. "They repreſented the anſwer "as being extreamly unparliamentary; that if ſuch anſwers "were accepted of, the parliament in reality reſigned their "moſt precious privileges, thoſe of inquiring into the diſpoſal "of public money, and the conduct of corrupted and corrupting miniſters, to thoſe very miniſters who ought to be

Obſervations on the above anſwer.

Debates on it.

[d] It was charged to have been iſſued for ſecuring the trade and navigation of the kingdom.

Geo. II. 1728. "the objects of their cenſure." It was farther ſaid, "That "the anſwer was vague and frivolous, and might be made "with equal propriety upon all occaſions of enquiry into the "diſpoſal of public money." The miniſtry on the other hand urged, "that this anſwer was conformable to an anſwer "returned in the late reign upon a like addreſs; that there "was no more reaſon for diſtruſting his preſent majeſty, than "there was for diſtruſting his father; and the houſe of com- "mons was ſo well ſatisfied on that occaſion, that inſtead "of expreſſing any ſymptoms of diſſatisfaction, they had re- "turned the crown an addreſs of thanks for its anſwer." Sir Robert Walpole took notice, and laid it down as a maxim on all ſuch occaſions, "that it was impoſſible that publick "ſervice, conſidering the various complication of intereſts "on the continent, could be carried on if every ſhilling that "was expended for the intereſt of the common cauſe, and "for maintaining the ballance of Europe, was known to all "the world." Theſe reaſons ſeemed ſo ſatisfactory to the houſe, that the queſtion was carried againſt the oppoſition, by a majority of 202, againſt 66.

See vol. XIX. p. 573.

Diviſion.

On the 4th of March, the day to which the houſe was adjourned upon the laſt debate, the whole houſe went into a committee, to which the neceſſary papers being referred, a motion was made on the part of the miniſtry, "that it ap- "pears, that the monies already iſſued and applied towards "diſcharging the national debts, incurred before Chriſtmas "1716, (together with the ſum of two hundred and twenty "thouſand, and four hundred thirty-five pounds, ſixteen ſhil- "lings and fourpence three farthings, which will be iſſued at "Lady-day 1728, towards diſcharging the ſaid debts;) amount "to ſix millions, ſix hundred forty-eight thouſand, ſeven hun- "dred ſixty-two pounds, five ſhillings and one penny farthing."

This motion was made in order to bring to the teſt the clamour that had been raiſed by the oppoſition, as if the publick debts had encreaſed ſince the eſtabliſhment of the ſinking fund. As this was the moſt plauſible objection they had to the adminiſtration, and the moſt intereſting to the publick, the party againſt the court exerted all their abilities, which are acknowledged to have been very great, in trying to defeat it.

Character of Mr. Daniel Pulteney.

Mr. Daniel Pulteney was at that time in high credit for his great knowledge of publick buſineſs and foreign tranſactions. He was a man of vaſt application and uncommon talents. He was a cold, but weighty, ſpeaker, and though other members in the oppoſition had brighter parts, none of them had equal abilities, becauſe his natural capacity, which

was

was found and vigorous, had been improved by ſtudy and application. He put himſelf at the head of the debate upon this occaſion, and being quite maſter of the ſubject, he endeavoured to ſhew there was fallacy and deceit in the motion. He was ſupported by his relation Mr. William Pulteney, Mr. Shippen, and in general by all the heads of the oppoſition, who launched out into declamation upon the profuſe management of public money; and that, notwithſtanding it had been granted with ſo liberal a hand by parliament during the late and preſent reign, and, notwithſtanding the eſtabliſhment of the ſinking fund, the national debt was annually increaſing, tho' in a time of profound peace and tranquillity. This, it was ſaid, yielded but a very melancholy proſpect, ſince, at this rate, our debts muſt ſtill grow faſter in caſe of a war, or public troubles; ſo that the heavy and numerous taxes that now lay upon the nation, muſt be perpetuated to the lateſt poſterity. Geo. II. 1728. Speeches made upon the public debt.

To ſupport this vague, declamatory, ſtrain, they urged that in order to ſwell the ſum ſaid to have been iſſued and applied towards the diſcharge of the public debts, incurred before Chriſtmas 1716, there was added to it about three millions, for the advanced price given in the year 1720, in order to make the irredeemables redeemable, which could not properly be called a payment of thoſe debts; whereas on the other hand, in the accounts of the preſent national debt, or of the increaſe of that debt ſince Chriſtmas 1716, ſeveral large ſums were omitted, particularly one million, raiſed upon the credit of the civil liſt, and ſeveral deficiencies on the land-tax, malt, and other funds, which certainly ſtill remained a public debt.

The motion, however, was ſo well defended by facts and figures by ſir Robert Walpole, that when a ſecond motion was made by the oppoſition for the ſpeaker to reſume the chair, the queſtion was carried in the negative by a majority of 250 voices againſt 97; upon which the firſt motion was agreed to without any farther diviſion. Diviſion upon the ſame.

All the ſubſequent debate upon this great point of the national debt terminated in favour of the miniſter, and then an unanimous reſolution paſſed, "That an humble repreſentation "be made to his majeſty upon the ſaid reſolutions, and upon "the debate of the houſe, laying before his majeſty a particular account of the national debts diſcharged and incurred "ſince the 25th day of December 1716, diſtinguiſhed under "their proper heads and ſervices; with a ſtate of the ſinking "fund and of the public credit; and a committee was appointed to draw up the ſaid repreſentation, to whom ſeveral "papers relating to that affair were afterwards referred."

Geo. II. 1728.

The houſe then proceeded to matters, ſome of them relating to the revenue, and others to their own privileges as a houſe of parliament, which are too immaterial for general hiſtory. It may be proper however to obſerve, that upon a particular caſe which occurred, the houſe reſolved, "that a "perſon petitioning, and thereby claiming a ſeat in that houſe, "for one place, is capable of being elected and returned for "another place pending ſuch petition."

Farther proceedings of the commons.

Navy debt.

The great debt due to the navy was another intereſting object of this parliament's attention; and therefore on the 29th of April the houſe confirmed unanimouſly the reſolutions of their grand committee; one of which was, "That in order to the more regular, conſtant and punctual "payment of ſeamens wages for the future, a ſum not ex-"ceeding 500,000 l. be granted his majeſty, towards pay-"ing off and diſcharging ſuch part of the debt of the navy, "as is due upon the head of ſeamens wages."

Notwithſtanding the great ſuperiority of numbers which the miniſter had in the houſe, yet he very wiſely conſidered, that unleſs his credit without doors as well as within, was eſtabliſhed, his power muſt be precarious, or at beſt uneaſy, if not dangerous, to himſelf, not to mention the impreſſion which a general diſſatisfaction might make upon the mind of his royal maſter. He knew his enemies were in poſſeſſion of the preſs, that moſt powerful of all batteries againſt government, and that they had, with great ſucceſs, propagated amongſt the people a notion that the ſinking fund, that ſacred depoſite for paying off the national debt, had been of no ſervice to the purpoſe for which it was originally intended. They had pretended to prove this by numbers, and laborious calculations, which the people in general were obliged to take upon truſt, becauſe they did not underſtand them; and the effect which thoſe writings had produced, were by no means favourable to the adminiſtration. The miniſter, in order at once to deſtroy or to rectify all prepoſſeſſions and miſtakes in ſo capital a conſideration, made his appeal, and that in the moſt ſolemn manner, to the tribunal of majeſty itſelf. This was the true intention of the repreſentation which had been voted to be preſented to the king concerning the national debt. It was a very elaborate performance, and turned upon the examination of "How much the na-"tional debt, incurred before the 25th of December 1716, "had been actually paid off or diſcharged; and what new "debts had been really contracted in ſupport of the public, and "in carrying on the current ſervice of the ſeveral years ſince

Repreſentation of the ſtate of the national debt.

"that

" that time." The repreſentation itſelf is introduced with a heavy complaint and ſevere reflection againſt the arts which had been practiſed to miſlead the people in this important enquiry. " This prevailing miſchief, ſays the repreſentation, " called for an immediate remedy, and made it neceſſary to " enter into a ſtrict diſquiſition of the truth and certainty of " theſe affairs, that his majeſty might be truly informed, and " his faithful and well-affected ſubjects have the ſatisfaction " to ſee how groſsly the world had been impoſed upon, by " theſe groundleſs miſrepreſentations, and that his enemies " might be convinced that the wealth and power of Great " Britain are not ſo exhauſted, as to render this nation, un- " der his majeſty's happy government, leſs conſiderable and " formidable than in the time of any of his royal predeceſſors." Geo. II. 1728.

Then, after ſtating the whole of the national debt, they repreſent to his majeſty, that the ſeveral national debts incurred before the 25th of December 1716, which have been ſince diſcharged, after deducting the ſum of 22,357 l. 8 s. and 4 d. do amount in the whole to the ſum of ſix millions ſix hundred and twenty-ſix thouſand four hundred and four pounds, ſixteen ſhillings and nine-pence halfpenny: and that the ſeveral national debts incurred ſince the ſaid 25th day of December 1716, and now ſubſiſting, amount together to the ſum of three millions nine hundred twenty ſeven thouſand nine hundred eighty-eight pounds ſeven ſhillings and one penny three farthings; which being deducted out of the amount of the debts diſcharged, the difference is ſo much real decreaſe of the national debt ſince the 25th of December 1716, being two millions ſix hundred and ninety-eight thouſand four hundred and ſixteen pounds, nine ſhillings and ſeven-pence three farthings.

Such was the purport of this famous repreſentation, which drew from his majeſty a very remarkable and favourable anſwer [d]. Little elſe worthy the attention of general hiſtory

[d] GENTLEMEN,

I cannot but be very well pleaſed with this repreſentation, which muſt give general ſatisfaction to all my people, by removing thoſe groundleſs jealouſies and apprehenſions which have been propagated and diſperſed throughout the kingdom.

The happy effects of the flouriſhing ſtate of the public credit are too ſenſibly felt and ſeen, not to be confeſſed and acknowledged by every body.

And the proviſion made for gradually diſcharging the national debt is now become ſo certain and conſiderable, that nothing but ſome unforeſeen event can alter or diminiſh it; which gives us the faireſt proſpect of ſeeing the old debts diſcharged without any neceſſity of incurring new ones.

Geo. II. 1728. hiſtory happened in parliament till the 4th of May, when a meſſage was delivered by ſir Paul Methuen, treaſurer of the houſhold, from his majeſty, deſiring them to advance a ſum not very conſiderable, to perfect and fulfil the obligations he had entered into and concerted with the advice and concurrence of laſt parliament. The meſſage next day occaſioned very long debates, in which the miniſter's perſon as well as meaſures was treated with great freedom; but his majeſty's requeſt was complied with, upon a diviſion of 237 voices againſt 101. This was a very compleat triumph to the miniſter; the queſtion debated gave a great handle of oppoſition, and the anti-miniſterial party making ſo poor a figure upon ſo favourable a point, deſpaired of being able to make a more ſucceſsful ſtand in that parliament. When the commons went up with their addreſs, by which they promiſed to make good his engagements, he aſſured them, "that the "confidence they repoſed in him, ſhould be employed for "the public good and ſupport of the common cauſe." The oppoſition, however, notwithſtanding their late defeat, renewed the attack; not that they had the ſmalleſt hope of ſucceſs, but becauſe they wanted to render the miniſter as unpopular as poſſible. With this view a motion was made on the 17th of May, for an account of the ſale of woods and grants of falls of woods, by his late majeſty, from Chriſtmas 1715, to the 1ſt day of June 1727, and how the ſame had been accounted for. Could ſuch an enquiry have reſtored to the uſe of the Britiſh navy the wood, the loſs of which was ſo much complained of, and indeed foretold by the public, this motion would have been material and pertinent; or had it been poſſible to have convicted the parties, who muſt have been affected by this addreſs, and who were moſt of them dead, of giving improper advice to the crown, it might have had a good effect; but as none of thoſe conſequences could happen, the motion was overruled by putting the previous queſtion, which gave a negative to putting the main queſtion. Little elſe material of public buſineſs happened during this ſeſſion of parliament; ſome of the South-ſea directors applied for farther allowances out of their eſtates, in which however they were diſappointed this ſeſſion. The commons addreſſed the king, to contract with the lords pro-

King's meſſage for a voice of credit.

Diviſion on the ſame.

Motion about the grants of timber.

Dropt.

Farther proceedings of the commons.

And you may be aſſured, that it ſhall be my particular care and ſtudy to maintain and preſerve the public credit, to improve the ſinking fund, and to avoid all occaſions of laying new burthens upon my people.

prietors

prietors of Carolina for the purchaſe and ſurrender of their title to that province, promiſing to make the expence good out of the next aids granted by parliament. Nothing remarkable happened in the houſe of peers this ſeſſion, excepting an attempt to amend the ſtatute of limitations, which miſcarried; and on the 28th of May his majeſty put an end to the ſeſſion by a ſpeech, in which he thanked the members for their zeal and unanimity, without containing any thing elſe that is remarkable. Geo. II. 1728. and peers.

Towards the cloſe of this ſeſſion, ſir John Monſon, by the title of lord Monſon, ſir Thomas Wentworth, by that of lord Malton, ſir John Hobart, by that of lord Hobart, ſir Thomas Coke, by that of lord Lovel, were ſeverally called up to the houſe of peers. Creations of nobility.

The eyes of all Europe were now fixed upon the congreſs, which, on the 19th of June, was opened at Soiſſons. The Britiſh miniſters were, William Stanhope, eſq; afterwards earl of Harrington; Horatio Walpole, eſq; afterwards lord Walpole, and Stephen Pointz, eſq. Thoſe of the emperor were, the counts Zinzendorff and Windiſgratz, and baron Pentenriedter. Thoſe of the French court were, the cardinal Fleury, the marquis de Fenelon, and the count de Brancar. Thoſe from Spain were, the duke de Bournonville, the marquis de Santa Cruz, and don Ignatio de Bernachea. The Dutch, the Swedes, the Danes, the Ruſſians, the Poles, the dukes of Holſtein, Parma, Bavaria, and the Palatine, had likewiſe their ſeveral ambaſſadors there. It cannot be denied, that the French court, during this negotiation, aſſumed an air of ſuperiority, and the diſaffected in England repreſented all the other plenipotentiaries at Soiſſons, no better than the pupils of cardinal Fleury. Some days were ſpent in mutual compliments and entertainments, and little elſe remarkable happened amongſt them till the death of baron Pentenriedter, who was regreted as an able and an honeſt miniſter. It was evident from the manner of proceeding, that the Imperial and Spaniſh courts ſought to amuſe the allies of the treaty of Hanover, till ſuch time as their galleons ſhould arrive. The court of Spain in particular was ſo ſlow in its proceedings, and ſo obſtinate in its demands, that it was eaſy to foreſee that the congreſs muſt come to nothing. The truth is, his Catholic majeſty's miniſters began to be ſenſible, that it would be impoſſible for the emperor to ſupport the Oſtend company, and that they could make a much better bargain with England, which was much abler to aſſiſt their queen in her favourite ſcheme, of providing for her family; and in this they

Congreſs of Soiſſons. Names of the chief plenipotentiaries.

Proceedings and intrigues in the ſame.

Geo. II. 1728.

they were not miſtaken. This was the true ſource of their trifling, and of their protracting every ſtep they took, till anſwers came to every tedious diſpatch that was ſent to Madrid. The emperor, on the other hand, refuſed to recall from the Oſtend company the privilege he had given them of navagating to the Eaſt Indies, but ſeemed to be a little ſoftened on that head, by conſenting to have the whole affair diſcuſſed at the congreſs. Mean while, his Daniſh majeſty reſolved to augment the capital of his Eaſt India company, and to remove the trade from Copenhagen to Altena. This project was looked upon to be very injurious to the ſubjects of Great Britain and the United Provinces; and lord Glenorchy, the Britiſh miniſter at Copenhagen, joined with the Dutch miniſter, in preſenting a memorial againſt it, as being equally prejudicial to their countrymen, as the Oſtend company was. Difficulties thus multiplying in the congreſs, propoſals for a truce were thrown out amongſt all the powers concerned, but it came to nothing. The court of Spain continued to make vaſt preparations for war; and in order to get the better terms of Great Britain, ſtill inſiſted upon the reſtitution of Gibraltar and Portmahon, and upon her right to ſeize, ſearch, and confiſcate the Engliſh ſhips in America.

Unreaſonable demands of the allies of Vienna.

Duke of Parma's agent ſent out of England.

During the congreſs at Soiſſons, his majeſty received a ſignal affront from the duke of Parma, who had invited the Pretender to reſide in his dominions, promiſing to receive him with the honours and diſtinctions due to the king of Great Britain; upon which ſignior Como, agent for the duke of Parma in London, was ordered, by his majeſty's command, to depart the kingdom in two days, and to be attended by one of the meſſengers of ſtate to the place of his embarkation.

Death and character of the biſhop of Oſnaburgh.

This year, the Proteſtant intereſt in Germany received a ſenſible loſs by the death of his royal highneſs Erneſt Auguſtus, biſhop of Oſnaburgh, duke of York and Albany, and only ſurviving brother to king George I. He was a prince of great temper and virtue; and though reigning over a country peopled almoſt equally by Papiſts and Proteſtants, he proved himſelf to be equally the father of all his people. It is remarkable, that this prince was ſo good an œconomiſt, as to leave behind him almoſt an hundred thouſand pounds in ſpecie, though he had all his life lived anſwerably to his revenues and quality. By the 10th article of the treaty of Oſnaburgh, and confirmed by that of Munſter, it is ſtipulated, that the ſaid biſhoprick ſhould be alternately poſſeſſed by a Roman Catholic and a Proteſtant, in ſuch a manner, that when

when it ſhould be the turn of a Proteſtant, he ſhould always be poſtulated, or choſen, in the moſt ſerene houſe of duke George of Brunſwick Lunenburg, at that time (in the year 1648) general of the Swediſh army; and that, in caſe the male iſſue of that branch of the Brunſwick family ſhould become extinct, the alternate right to that biſhoprick ſhould go to the line of Auguſtus duke of Brunſwick Wolfenbottel. Geo. II. 1728.

Nothing remarkable during the reſt of this year happened in England, but the ceremonial of ambaſſadors receiving audiences, and the deaths of ſome noblemen, till the 4th of December; when his royal highneſs prince Frederick arrived from Hanover at St. James's. His ſudden arrival was ſaid to have been owing to ſome doubts that were urged in the privy council, concerning the non-reſidence of a prince of Wales in Great Britain. He was, ſoon after his arrival, complimented by the city of London and the Royal Society, into whoſe book he was pleaſed to write his name. Arrival of prince Frederick in England.

His majeſty had paid an early attention to the affairs of Ireland, by ſettling the great officers of ſtate and law there, and continuing the old privy council, with the addition of three commoners, members. The lord Carteret, lord lieutenant, was received with great unanimity and applauſe, and the buſineſs of parliament went on ſmoothly and unanimouſly. The commons wiſely applied themſelves to the repair of highways and bridges, to accelerating law-proceedings, to removing nuſances, and to the encouraging, the finding and working mines and minerals in that kingdom: they inſpected into the abuſes committed by millers, bakers, and farmers, into the ſtate of the hempen and flax manufactures, and they even gave conſiderable ſums of money for encouraging both, and to thoſe who had promoted the tillage of the kingdom, and had diſcovered uſeful manufactures. In ſhort, the foundations were now laid for that amazing progreſs which Ireland has ſince made in thoſe ſeveral particulars and many others. Affairs of Ireland,

In America vice-admiral Hobſon, after landing brigadier Hunter, the new governor of Jamaica, upon that iſland, took upon him the command of the ſquadron he found there, in order to cruize upon the Spaniſh coaſt, where the depredations upon the Engliſh ſtill continued. Both that and the other Engliſh plantations in America had preſented very loyal addreſſes to his majeſty upon his acceſſion to the crown, and the people of Barbadoes were ſo piqued at an inſinuation in their governor's ſpeech, which they thought reflected upon their loyalty, that they cleared themſelves by the moſt ſolemn and America.

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Geo. II. 1728.

professions. All the English America however smarted under the cruelty and rapine of the Spaniards. The ministry of England early foresaw that this must terminate in a war with Spain, unless a stop was put to the depredations; and they had obtained promises for that purpose from the Spanish ministry. They had even gone so far as to give assurances to our colonies abroad, that the court of Spain had issued orders for the discontinuing their captures. Those assurances had encouraged the merchants and planters to send several valuable ships to sea, which were taken by the Spanish guarda costas, a species of pirates, who pretended to act by order of their governors; who, they said, had authority from their court to grant them commissions for cruising upon the English in the American seas. In the beginning of August this year, the English commodore at Jamaica sent the Anne galley to demand restitution of the ships and cargoes that had been taken, but was obliged to return with an answer, not only unsatisfactory, but insolent, from the Spaniards; who declared, they had received no orders from their court to discontinue their making prizes of all English ships, whom they suspected to be concerned in an illicit trade with their colonies and settlements. The like depredations were continued in all the other seas of America; so that in England the public daily and hourly received accounts of the most flagrant acts of piracy and barbarity committed by the Spaniards upon their sailors and merchants.

Depredations of the Spaniards there.

Negotiations for peace continued.

Mean while the negotiations for peace were chiefly held at Fontainbleau; and cardinal Fleury having received an answer, which appeared to be little satisfactory, from the court of Madrid, communicated the same to the plenipotentiaries of Great Britain and Holland, while conferences to the same purposes went on at the Hague between the earl of Chesterfield and the deputies of their High Mightinesses. It is certain, that nothing but the invincible desire which the British minister had for the continuance of public tranquillity at this time, could have prevented a war from breaking out all over Europe. The court of Spain, yet unwilling to unmask the true object of its ambition, thought to compromise it the more easily, by keeping up to her first demands, which were no less than the restitution of Gibraltar and Port Mahon, and a regulation of the American trade, upon the footing which they (the Spaniards) should prescribe. It was not long, however, before the public had some hints from Madrid of the queen's private project.

Views.

This

This princeſs, an Italian by birth, while queen conſort of Spain, through certain natural infirmities of her huſband, who had betaken himſelf to a peeviſh recluſe ſort of life, engroſſed his affections and directed his power; ſhe was cloſe, reſolute, cunning, and dextrous in executing the moſt daring and the moſt unpromiſing projects, and ſurmounted difficulties, which would have been impracticable for others to conquer, merely from a notion ſhe had, that nothing was impoſſible for her to effect. The grandees of Spain, tho' they were no ſtrangers to her character, were by no means favourable to her views. They paſſionately deſired to ſee Gibraltar and Minorca re-annexed to their crown, and were alarmed when they began to ſuſpect that thoſe favourite points were to be given up, and that a branch of the houſe of Bourbon was to be aggrandized at the expence of the kingdom of Spain. Previous however to any thing deciſive in this affair, a double marriage was concluded upon between the royal houſes of Spain and Portugal. The prince of Aſturias, eldeſt ſurviving ſon to the king of Spain by his firſt queen, eſpouſed the infanta of Portugal, as the prince of Brazil, eldeſt ſon to the king of Portugal, did the infanta of Spain. But it is now time to attend domeſtic affairs. Geo. II. 1728.

and character of the queen of Spain.

Double marriage between Spain and Portugal.

On the 21ſt of January the parliament met; his majeſty in his ſpeech acquainted them, that the project of a proviſional treaty had been approved of by him and his allies, but that no definitive anſwer to the ſame had been returned by the courts of Vienna and Madrid. He acknowledged, that this created a ſtate of uncertainty, which gave him a great concern; "but, continued he, I hope you will believe, that a juſt "regard for the eaſe and intereſt of my people alone prevailed "upon me, rather to ſuffer ſome temporary inconveniencies, "with the daily proſpect of obtaining a ſafe and honourable "peace, than precipitately to kindle a war in Europe, and to "plunge the nation into ſtill greater and unknown expences." His majeſty was then pleaſed to expreſs great concern, that the ſtate of affairs obliged to continue the public expences, to enable him, as events might require, to act with vigour and in concert with his allies, who had reſolved to make the ſame preparations, and to keep on foot all their extraordinary forces. His majeſty then threw out a very broad inſinuation, as if the courts of Vienna and Madrid had been encouraged in their dilatory proceedings by the hopes that were given them from hence, of creating diſcontents and diviſions amongſt his ſubjects; "but, ſaid he, I am perſuaded, that your "known affection for me, and a juſt regard for your own ho-

Meeting of the parliament in 1728-9.

Subſtance of his majeſty's ſpeech.

"nour,

Geo. II. 1728.

"nour, and the intereſt and ſecurity of the nation, will determine you effectually to diſcourage the unnatural and injurious practices of ſome few, who ſuggeſt the means of diſtreſſing their country, and afterwards clamour at the inconveniencies which they themſelves have occaſioned."

Reflections and opinions on the ſame.

Such were the moſt ſtriking paſſages of this famous ſpeech, which ſome conſidered as a compoſition of miniſterial craft, while others looked upon it as an honeſt declaration of the true ſtate of Europe, ſo far as Great Britain was concerned in the important queſtion of peace or war. The lords unanimouſly agreed to an addreſs of thanks, and the party in the houſe of commons, who were for pacific meaſures, extolled the juſtice of his majeſty's conduct, in being unwilling to plunge the nation into a war, the end and event of which could not be foreſeen. The provoking conduct of Spain in attacking Gibraltar, was admitted upon all hands; and as ſomething very deciſive muſt ſoon happen, it was thought more eligible, as the nation had waited ſo long, to wait a little, and but a very little, longer. Such were the great lines of policy, upon which the miniſtry then proceeded: but it muſt be acknowledged, that this manner of arguing gave great advantages to their enemies. The depredations of the Spaniards in America were as diſgraceful as they were diſcouraging, and the nation was on fire to repel them. The oppoſition knew this, and took every opportunity of expoſing the government, as if, for the ſake of one man, they ſacrificed the honour and the intereſt of their country.

Spaniſh depredations.

Motion for an addreſs.

It was to obviate thoſe principles, that ſir George Oxenden in the houſe of commons moved for an addreſs to his majeſty, in anſwer to his ſpeech from the throne, "to acknowledge his majeſty's goodneſs and wiſdom, in avoiding all difficulties and delays, by concerting the moſt expeditious methods of concluding with honour and juſtice, the negotiations depending at Soiſſons; to expreſs their grateful ſenſe of his majeſty's tender regard for the eaſe and intereſt of his people, in declining to plunge the nation into greater and unknown expences, as long as there is a proſpect of obtaining a ſafe and honourable peace; to aſſure his majeſty, that the houſe, fully convinced, that his majeſty's own honour and the honour of the nation, are above all things dear and precious to him, entirely relies upon his majeſty to do himſelf and the nation juſtice, as ſoon as any proper occaſion ſhall call upon him for it, and to ſecure the commerce of the kingdom."

Nothing

Nothing could be more decent than thoſe expreſſions; but the oppoſition, in order to expoſe the miniſtry to the commercial part of the nation eſpecially, raiſed a debate upon a meer quibble; for they moved, that his majeſty ſhould be addreſt to *reſtore* the commerce of the kingdom. Though this cavil was below criticiſm, yet it gave a handle for declamation upon a point which the miniſtry could not get over, the depredations of the Spaniards. Sir William Young was then a frequent and a ready ſpeaker. He was obnoxious to many, how juſtly we cannot ſay, for ſome ſteps he had made in private life, and this prepoſſeſſion affected the opinion of the public in his parliamentary and miniſterial character. Notwithſtanding this, had he been in the oppoſition he would have been cried up as a man of wit, parts and eloquence. In fact, he was a man of good natural endowments, and though he ſtuck to his friend, who was at the head of the adminiſtration, no man in the houſe had more true Engliſh behaviour and ſentiments. It is certain that he had great volubility in ſpeaking, which his enemies termed frothineſs, but with no more juſtice, than as the term is applicable to any ſpeaker, whoſe eagerneſs in ſupporting his friends meaſures, render him a little too prolix on certain occaſions. But in all other reſpects, ſir William Young had great public and parliamentary abilities.

Geo. II. 1728.

Debate upon the ſame.

Character of ſir William Young.

When the oppoſition ſhewed themſelves in earneſt to ſupport their amendment, ſir William endeavoured to prove with great ſucceſs, that reſtoring and ſecuring commerce was a diſtinction without a difference; becauſe ſuppoſing, which he did not admit, that the Britiſh commerce was ruined, it muſt be reſtored before it could be ſecured. Both he and Mr. Thompſon of York, who, with very moderate abilities, was a perpetual advocate for the miniſter, and ſeveral other gentlemen endeavoured to ſhew, that whatever was juſt in the outcry againſt the Spaniſh depredations, was in a great meaſure owing to the inſatiable avarice of the Engliſh merchants and commanders of veſſels, who carried on an illicit trade with the ſubjects of Spain in America, in defiance of treaties and the laws of nations, as well as to the manifeſt prejudice of the fair Engliſh trader.

Debate continued

A pamphlet had been wrote at this time in favour, and under the countenance, of the miniſter, and was ſuppoſed to be the work of a prelate, who had greatly diſtinguiſhed himſelf by his political writings againſt the Tory miniſtry at the latter end of queen Anne's reign. The pamphlet was ſpirited and genteel, but contained ſome, and thoſe capital inaccu-

Upon a pamphlet.

Geo. II. racies, which the miniſter, who was, in matters of that kind,
1728. inexcuſably careleſs, had ſuffered to paſs uncorrected and unqueſtioned. As it was known however, to be a pamphlet of authority, Mr. Thompſon and ſome others of the court members ventured very injudiciouſly to quote it, in defence of the adminiſtration; particularly ſome paſſages, tending to vindicate the miniſtry in that unpopular part of their conduct, the keeping admiral Hoſier's fleet ſo long inactive on the coaſts of America. This, beſides its being unparliamentary, gave great advantages to the oppoſition; for Mr. Pultney, by expoſing one glaring inconſiſtency in it, that of confounding the Spaniſh flotilla and the galleons together, turned the whole of the court writings into ridicule. Some quotations, containing abſtracts from admiral Hoſier's and other Engliſh ſea-officers inſtructions, which the government had ſuffered to be publiſhed, were likewiſe repreſented as being unfair, becauſe the whole of the inſtructions were not exhibited. Captain, afterwards admiral, Vernon, made a conſiderable figure in this debate. Being well acquainted with the nature of the ſervice admiral Hoſier had gone upon, and having few or none in the houſe who could contradict him upon their own experience, he laboured to prove, that the extracts from Hoſier's inſtructions were ſpurious, or if not ſpurious, the inſtructions themſelves were impracticable.

Character of ſir Joſeph Jekyl. Sir Joſeph Jekyl, maſter of the rolls, was then, occaſionally, in the oppoſition. He was eſteemed an honeſt, uncorrupted judge and ſenator; his affection for the Proteſtant ſucceſſion was unqueſtionable, and his abilities both in law and equity were deemed to be conſiderable. He was, however, a weak politician, and a very indifferent ſpeaker. But his character giving him weight, the oppoſition thought they had gained a great point in bringing him over to their ſide. His prepoſſeſſions in favour of the old Whig principles were ſo ſtrong, that he could not with any patience bear the thoughts of England detaching herſelf from the houſe of Auſtria, and being linked with that of Bourbon. This was a revolution in politics, which he thought even endangered the conſtitution, the *ſecurity* of which, he ſaid, ought to be addreſſed for, as well as the *ſecurity* of commerce. In ſhort,

Diviſions the ableſt ſpeakers, both for and againſt the meaſures of the adminiſtration, exerted themſeves to the utmoſt in this debate; but the queſtion being put, whether the word *ſecure* ſhould ſtand, it was carried in the affirmative, by a majority of 249 againſt 87, and the addreſs was preſented.

This

This captious debate did the oppoſition no ſervice, either within or without doors. It was thought that his royal highneſs, whoſe curioſity had that day drawn him to the houſe of commons, muſt entertain no very high ideas of a ſenate, that could enter with ſo much warmth into ſo immaterial a controverſy. The oppoſition, however, were not diſcouraged by their defeat. For when the motion was made for continuing the army, conſiſting of near twenty-three thouſand men, the leaders againſt the court laboured to prove from hiſtory and experience, the danger into which a ſtanding army brought the conſtitution. Had their arguments been as juſtly applied, as they were plauſibly urged, they muſt have been unanſwerable. But, the nature of the conſtitution of England, and the aſpect of the affairs of Europe, had received ſuch alterations ſince the times from which their arguments were borrowed, that the reaſoning was abſurd and unjuſt. It was however urged, with ſome colour of reaſon, that the court of Vienna having readily agreed to the preliminaries for a general pacification, there ought to be a reduction of that augmentation of the army, which the differences lately ſubſiſting with the houſe of Auſtria had induced the parliament to agree to. But a ſhort anſwer was given to this laſt argument; for it was ſaid, that, as no definitive reſolution in favour of peace had been come to by the courts of Vienna and Madrid, the reduction of the national troops, during ſuch a ſtate of indeciſion, would only encourage the powers with whom the nation was at variance, to ſtand upon higher terms, and make the Spaniards in particular more inſolent in the American ſeas. This reaſoning, with a good deal more that was offered, had its proper weight, and the reſolution, with all thoſe that were depending upon it, was agreed to without a diviſion.

Geo. II. 1728.

Debate upon the army.

In the committee that ſate upon the ſupply, a copy of the eſtabliſhment of the Heſſian forces for the year 1729, coming under their conſideration, together with the ſubſidies paid to foreign princes, a warm debate was opened. The oppoſition, with the faireſt profeſſions of regard for his majeſty's honour, pretended that the money demanded was too great a ſum for the nation, conſidering the load of taxes it then laboured under, to bear. Mr. P. obſerved, that England paid for 7000 Heſſian troops, which that Landgrave uſed always to keep in pay, and that in fact, ſhe ought to pay for no more than for five thouſand of the twelve. As to the duke of Wolfenbottel, he obſerved, that the Engliſh by paying him for four

and upon the Heſſian troops.

Geo. II. 1728. thouſand men, juſt enabled him to maintain the uſual number of troops that he kept always on foot.

Sir Robert Walpole, in anſwer to what had been thrown out, ſaid, "that the meaſure of hiring German troops had "kept the peace of Germany and of all Europe; that it had "induced the emperor to accept of the preliminaries for a "general pacification, after taking into his pay the troops of "three electors of the empire, beſides making a conſiderable "augmentation of his own forces." Some of the old ſtaunch members however, objected to the meaſure itſelf, as being both diſgraceful and burthenſome to the nation. Very little regard was paid to that argument, and the queſtion being put, the court carried it by a majority of 256 againſt 91. It was then voted to grant the pay for the twelve thouſand Heſſians, and for the duke of Wolfenbottel's troops; and 50,000 l. ſubſidy to Sweden. The oppoſition having laid their main ſtreſs upon the arguments againſt the Heſſians, the other articles were not much conteſted. The houſe of commons, however, addreſſed the king; "that whenever it "ſhould be neceſſary to take any foreign troops into his ſer-"vice, he will be graciouſly pleaſed to uſe his endeavours "that they may cloathed with the manufactures of Great "Britain."

Diviſion.

Addreſs.

Reflection upon the conduct of the miniſtry.

The depredations of the Spaniards ſtill continuing in the American ſeas, the anti-miniſterial party omitted nothing that could perſuade the nation, that theſe violences and inſults were owing to the tameneſs of the Britiſh miniſtry, who were afraid of breaking with Spain. The truth is, the miniſtry had been a little too averſe to violent meaſures. They were fully perſuaded, and not without good grounds, that moſt of the captures were of veſſels which had been concerned in an illicit trade with the Spaniards, and therefore it was unjuſt upon their account only, to hazard a war with that crown. But it happening, that a few captures of ſhips trading lawfully, had been made by the Spaniards, the oppoſition improved and heightened this circumſtance ſo much to their own advantage, and ſo greatly to the prejudice of the miniſter, that the diſſatisfaction on that account was general all over the nation. The city of Briſtol and the port of Liverpool were amongſt the firſt that petitioned the parliament on that account, and many members, who, upon other occaſions, were ready to go all lengths with the miniſter, concurred in voting for the neceſſary lights, in an affair that ſo nearly touched the honour and intereſt of the nation. On the 28th of February the lords commiſſioners of the admiralty were ordered to lay before

fore the commons the complaints that had been lodged before them by the Britiſh merchants againſt the Spaniards; and the houſe at the ſame time came to a reſolution of addreſſing his majeſty, for admiral Hoſier's inſtructions, and thoſe of the commander in chief, who ſucceeded him. Tho' the miniſter ſaw that the main tendency of all thoſe motions was to diſtreſs him, he did not think it proper to oppoſe them, and ſome of the petitioners and their witneſſes were examined before a committee of the whole houſe, which ſat to conſider of their ſeveral complaints againſt the Spaniards. On the 10th of March an addreſs was voted to his majeſty, for copies of all memorials, petitions, and repreſentations, to himſelf or his father, or their ſecretaries, in relation to Spaniſh captures and Britiſh ſhips. Geo. II. 1728. Addreſſes upon the Spaniſh depredations.

The Spaniſh miniſtry, on the other hand, ſtrongly inſiſted upon the Engliſh being excluded from all right of cutting logwood in Campeachy, or of trading to that bay. This was no new claim on the part of the Spaniards, it had been made by the marquis de Monteleone, ſo far back as the year 1717, and the matter had been referred by the then king to the board of trade. They gave it as their opinion, that the Engliſh had a right to cut logwood there, which opinion was founded upon no Spaniards being found in that country when the Engliſh firſt landed there, and that they had ever ſince exerciſed the cutting of wood in that country, and that in the year 1669, the numbers of Engliſh logwood-cutters ſettled in the Laguno de Terminos, were ſo conſiderably increaſed, that great quantities of logwood were tranſported both to Jamaica and New England. This being the ſtate of that trade in 1669, and the American treaty being concluded in 1670, which, by the clauſe of *uti poſſedetis*, confirmed to the Engliſh all their poſſeſſions in America, their logwood-trade and poſſeſſions upon the bay of Campeachy, were thereby clearly confirmed. Nevertheleſs, the maxims of the Spaniſh government admitting no competition about what they looked upon to be their property in America, in 1672, they began to queſtion the Engliſh right to that trade. For, on the 22d of June that year, the queen-regent of Spain publiſhed a royal cedula, importing, "That ſuch as ſhould make an "invaſion, or trade without licence in the ports of the Indies, ſhould be proceeded againſt as pirates, &c." This cedula was conſtrued by the Spaniards in America, to inhibit the Engliſh from cutting logwood in Campeachy, and they actually confiſcated all Engliſh ſhips that had any on board. This, however, being an act of unjuſt power, and not acquieſced Report and hiſtory of the Campeachy logwood-trade.

Geo. II. 1728. in by the Engliſh, their right to the ſettlements in Campeachy and the logwood-trade, was not thereby weakened; the treaty of Utrecht confirmed it, becauſe, after confirming the American treaty, a ſtipulation is inſerted, "that the ſame "ſhall be without any prejudice to any liberty or power, "which the ſubjects of Great Britain enjoyed before, either "thro' right, ſufferance, or indulgence."

Other petitions againſt the Spaniards.

Such is the ſubſtance of this famous repreſentation, which was now laid before the houſe of commons, to whom ſeveral other petitions about this time, from merchants and others, complaining of Spaniſh depredations, were preſented. Theſe complaints coming ſo thick, raiſed a flame in the nation, which the miniſter durſt not attempt to ſtifle; but it is uncertain, whether he did not connive at ſome officious writings, which repreſented the petitioners in no favourable light, and the petitions as deſtitute of real foundation. Theſe writings and pamphlets did inconceivable prejudice to the miniſter, who, as has been obſerved before, generally employed the preſs very injudiciouſly, and no arts were wanting on the part of the oppoſition to perſuade the public, that he ſecretly abetted the Spaniards in their depredations. Tho' nothing could be more ridiculous and groundleſs than this accuſation, yet ſtill the miniſter bore it with invincible patience, and without throwing the leaſt obſtacle in the way of the committee, which ſat from day to day, upon the Spaniſh depredations. That committee at laſt, after hearing all proper evidence, came on March 14th, to the following reſolution, which was reported by Mr. Winnington, the chairman, and agreed to by the houſe; "That from the peace, con-"cluded at Utrecht, in the year 1713, to this time, the "Britiſh trade and navigation, to and from the ſeveral Britiſh "colonies in America, has been greatly interrupted by the "continual depredations from the Spaniards, who have ſeized "very valuable effects, and have unjuſtly taken and made "prize of great numbers of Britiſh ſhips and veſſels in thoſe "parts, to the great loſs and damage of the ſubjects of this "kingdom, and in manifeſt violation of the treaties ſubſiſt-"ing between the two crowns."

Addreſs of parliament to the king.

The houſe then came to an unanimous reſolution, that an humble addreſs be preſented to his majeſty, "to deſire his "majeſty will be graciouſly pleaſed to uſe his utmoſt endea-"vours to prevent ſuch depredations, to procure juſt and "reaſonable ſatisfaction for the loſſes ſuſtained; and to ſecure "to his ſubjects the free exerciſe of commerce and naviga-"tion, to and from the Britiſh colonies in America." His

majeſty's anſwer to this addreſs, which was preſented by the ſpeaker, attended by the whole houſe, was as follows. Geo. II. 1728.

"Gentlemen, I have always had the greateſt regard and "concern for the commerce and navigation of my king- "doms; I am ſenſibly affected with the loſſes ſuſtained by "my trading ſubjects; I have, upon all proper applications, "given the ſtricteſt orders for procuring juſt and reaſonable "ſatisfaction, and you may be aſſured, I will uſe my beſt "endeavours to anſwer the deſires and expectations of my "people, upon an affair of ſo much importance."

Proceedings in the houſe of peers.

Mean while, the houſe of peers were equally alarmed at the demands of the Spaniards, which reflected upon the memory of the late king, whom they accuſed of a breach of promiſe, in not giving up Gibraltar and Port-Mahon, as he had engaged to do, by a letter he had wrote to his Catholic majeſty. In order, therefore, to vindicate the memory of the late king, and the intereſts of the nation, a copy of that letter was laid before the peers, and it appeared how groundleſs the claims of the court of Spain were, as founded upon that letter. It contains, with regard to Gibraltar, no more than a general aſſurance, on the part of his Britannic majeſty, "That he will make uſe of the firſt favourable oppor- "tunity to regulate the article of its reſtitution with the "conſent of his parliament." The promiſe, therefore, was no other than conditional, and could in no ſenſe bind his majeſty of England, unleſs his parliament gave its conſent.

Motion there,

Some of the lords in the oppoſition made, however, a great handle of the above-mentioned letters, and of the claim of his Catholic majeſty, and moved to reſolve, "That for "the honour of his majeſty, and the preſervation and ſecu- "rity of the trade and commerce of this kingdom, effectual "care ſhould be taken in the preſent treaty, that the king "of Spain do renounce all claim and pretenſion to Gibraltar "and the iſland of Minorca, in plain and ſtrong terms."

rejected.

The lords rejected this motion upon very ſolid grounds. Great Britain had a much better right by the treaty of Utrecht, to Gibraltar and Minorca, than ſhe could have by any perſonal act or renunciation of his Catholic majeſty. The deſiring any ſuch perſonal renunciation, implied a kind of invalidity of the right, by which Great Britain already held theſe poſſeſſions. There was no doubt, that the king and kingdom of Spain would, if poſſible, re-poſſeſs themſelves of them, and that no renunciation, however ſtrong or expreſs on the part of his Catholic majeſty, would debar him from attempting to re-poſſeſs them, as ſoon as he had any probable

Obſervation thereupon.

Geo. II. 1728. prospect of success; and should his Catholic majesty, as there was great reason to believe he would, refuse to grant any such renunciation, all the powers of Europe would be apt to think, that Great Britain possest them by an invalid title.

The house of peers, therefore, very wisely, and upon true political principles, rejected the motion, and a protest upon very weak and shallow grounds, was entered against the negative that had been given to the motion; and signed by seventeen peers. The house, however, did not think proper to leave a matter of so much importance neglected. That might have borne a bad aspect to the nation, and have even implied to the rest of Europe, a settled design to give up the two possessions in question. They, therefore, resolved to proceed upon the affair in the most solemn manner. For, on March 19th, the lords sent a message to the commons, desiring a present conference with them in the painted chamber, relating to Gibraltar and the island of Minorca. Managers being accordingly appointed on the part of the commons, the conference was held, and the managers for the lords required the concurrence of the commons, to a resolution they had come to, which was, "That they do entirely rely upon his majesty, that he will, "for the maintaining the honour, and securing the trade, of "this kingdom, take effectual care in the present treaty, "to preserve his undoubted right to Gibraltar and the island "of Minorca."

Conference with the lords demanded by the commons,

for an address to the king, concerning Gibraltar and Minorca.

Tho' nothing could be better judged or better timed than this resolution, yet it met with great opposition in the house of commons. Sir Robert Walpole never appeared more unexceptionable in his ministerial capacity, than he did on this occasion. He made it appear, that from the nature of the prerogative, the resolution contained all that a parliament can constitutionally require of a king; but was answered by vague declamation and surmises, which, tho' then they had great effect with the weak and well-meaning, experience has refuted. The opposition, however, most absurdly and unpolitically insisted, "upon a specifical renunciation of those "places, on the part of Spain." The question was then extreamly well calculated to impose upon the public, and some members in the house of commons were actually, upon this occasion, brought over to the opposition; for, upon the question being called for, the negative was carried only by a majority of 267 against 111.

Absurd claim of the opposition, rejected on a division.

The commons thus agreeing with the peers in their resolution, a joint address was presented to his majesty from both houses,

houſes, and he, in anſwer, promiſed them, "that he would take care to ſecure his undoubted right to Gibraltar and the iſland of Minorca." The houſe of commons next went upon reading and conſidering all the letters and inſtructions, that had been given to the Britiſh admirals and commanders in the Mediterranean, by the ſecretaries of ſtate, from the year 1725, to the time of the arrival of orders from the king of Spain, for executing the preliminaries in the Weſt Indies. Geo. II. 1728. Anſwer from the crown.

Sixty thouſand pounds, raiſed for the ſervice of laſt year, had not been accounted for to parliament; and the commons requiring, by addreſs, a particular account, received for anſwer, "that no particular account of the ſame could be "given, without a manifeſt prejudice to the public." Tho' this anſwer had been, as we have ſeen, repeatedly given upon the like occaſions, and tho' the very nature of the public ſervice requires money for ſecret ſervices, yet a great handle was made of it to enflame the nation againſt the adminiſtration. The miniſter, however, bore up againſt all oppoſition, nor did he refuſe to his enemies any paper, they could call for, relating to the affairs between Great Britain and Spain; and the numbers they demanded were very great, and the time they took up in reading, very long. At laſt, the grand committee, who continued moſt aſſiduouſly to ſit upon the conſideration of the complaints againſt the Spaniſh depredations, after long debates, reſolved; Proceedings,

"That ſeveral ſhips, merchandizes and effects, belonging "to the merchants of this kingdom, trading to Spain, Portugal, and Italy, have been taken and ſeized by the Spa- "niards, in manifeſt violation of the treaties ſubſiſting be- "tween the two crowns, for which no reſtitution has yet "been made; and that the maſters and crews of ſeveral of "the ſaid ſhips have been barbarouſly and inhumanly "treated. and reſolutions of the commons.

"That, in order to take the neceſſary care of the inte- "reſts and properties of his majeſty's ſubjects, and thoſe of "his allies, very much concerned in the cargo and effects "belonging to the flota and galleons, and that all poſſible "juſtice might be done to all parties intereſted therein; and "to the end that the ſaid treaſure ſhould not be employed in "carrying on and ſupporting dangerous meaſures and en- "gagements againſt his majeſty and his allies, the orders "and inſtructions given to vice-admiral Hoſier, to block up "the flota and galleons, and to endeavour to ſecure and "detain them, without embezzlement, until juſtice and ſa-

"tisfaction

Geo. II. 1728. "tisfaction ſhould be given to his majeſty and his allies, "were juſt, prudent, and neceſſary, tending very much to "prevent an open rupture, and to preſerve the peace and "tranquillity of Europe."

Addreſs, and anſwer from the crown.

An addreſs, in conſequence of thoſe reſolutions, was accordingly voted to his majeſty, praying him, "to uſe his "endeavours to obtain ſatisfaction to the ſufferers;" to which, his majeſty reply'd, "That he was always extreamly concern-"ed, when he heard of the loſſes and ſufferings of his ſubjects, "and would continue to uſe his beſt endeavours, as he had "hitherto done, upon all occaſions, to obtain for them, juſt "and reaſonable ſatisfaction."

Diſſatisfaction of the nation at admiral Hoſier's expedition.

The reſolution, which the commons had come to, in juſtification of admiral Hoſier's inſtructions, ſerved rather to vindicate, than to clear, the miniſter. It was notorious, that the French had a much greater property than the Engliſh had in the flota and galleons, and therefore the public, with great juſtice, thought that they ſhould at leaſt have borne an equal ſhare in the expence, which fell very heavy, both in men, money and ſhips, upon Great Britain, beſides its being unſucceſsful as to the purpoſe for which it was deſigned. Add to this, that it had brought the Spaniards to make ſome advances to France, which had given the latter great advantages in commerce, and the uſeleſs provocation, which we had given the Spaniards, had exaſperated them to ſuch a degree, that they had ſpared no pains or expence to fix the emperor more firmly than ever, in their intereſt, by which England had found herſelf under a kind of neceſſity, not only to augment her domeſtic troops, but to take large bodies of foreigners into their pay. Such were the arguments, which were, on this occaſion, urged by the heads of the oppoſition in both houſes of parliament. In the houſe of peers a motion was made to reſolve, "That it appeared to "the houſe, that the expence of the ſquadron ſent to the "Weſt Indies, under the command of vice-admiral Hoſier, "having been borne by this nation alone, tho' deſigned to "prevent the Spaniards from ſeizing the effects belonging "to his majeſty's allies, as well as his ſubjects, which were "on board the flota and galleons, and from applying the "treaſure, to diſturb the peace, and invade the liberties of "Europe, has been an unreaſonable burthen on this king-"dom." Upon a negative being given to this motion, by a majority of 87 againſt 27, a proteſt was entered and ſigned by fourteen members, upon the principles, and for the reaſons we have already hinted at.

Diviſion in the houſe of peers on that head.

The

The many papers and pamphlets, wrote upon the head of the Spaniſh depredations, and the other loſſes and diſgraces that had happened to the nation, had obtained ſo large a circulation, that the affair grew too ſerious, to be farther neglected. A matter, however, of a more domeſtick, but more intereſting nature, happened at this time, pretty critically, to draw the attention of parliament to an object, in which the miniſtry had no concern, and therefore they very politically encouraged a ſevere inquiry into the abuſe. Geo. II. 1728.

Enquiry into the ſtate of the public gaols by the houſe of commons.

Some public-ſpirited gentlemen, at the head of whom were, Mr. afterwards general Oglethorpe, had received intimations of the cruelties and oppreſſions practiſed throughout almoſt all the gaols in the kingdom, upon priſoners, and more particularly in his majeſty's priſon of the Fleet. Upon this, a committee, of which, Mr. Oglethorpe was chairman, was appointed to enquire into the ſtate of the gaols all over the kingdom; and on the 27th of Feb. repaired to the Fleet-Priſon, that they might examine the priſoners in their own perſons. One Bambridge, acted then as warden of the Fleet, and the committee found ſir William Rich, baronet, by his command, loaded with heavy irons, which they ordered to be taken off. But, upon their retiring, Bambridge underſtanding that ſir William had given evidence to the committee, which was very unfavourable for himſelf, he ordered him again into irons, for which, the houſe immediately committed him to the cuſtody of the ſerjeant at arms. The farther the committee proceeded in their enquiries, the more diſmal and ſhocking was the ſcene of cruelty, barbarity, and extortion, which they diſcloſed. Upon this, March the 28th, the houſe came to an unanimous reſolution, "that Thomas "Bambridge, the then warden, John Huggins, the late "warden, who had acted in the ſame cruel, oppreſſive "manner, James Barnes, William Pindar, John Everett, "and Thomas King, who were accomplices in the ſame "crimes, be committed cloſe priſoners to Newgate:" and his majeſty at the ſame time was addreſſed, to order his attorney-general to proſecute them: a bill was likewiſe brought in, to diſable Bambridge from holding the office of warden; and another, for better regulating the priſon of the Fleet, and for more effectual preventing and puniſhing arbitrary and illegal practices of the warden of the ſaid priſon. A report of the proceedings of the committee, relating to the Fleet-Priſon, was likewiſe ordered to be printed. In this report, the cleareſt proofs were brought, not only of extortion and oppreſſion, but even of murders being

Geo. II. 1728. being committed by the warden and his gaolers; the particulars of which being improper for general hiſtory, we ſhall omit.

Other proceedings in parliament.

Beſides this public-ſpirited meaſure, others of a like tendency were entered into by the houſe. On the 21ſt of March a bill was brought in, for the more effectually preventing bribery and corruption; and had ſo ſpeedy a paſſage thro' the houſe, that on the 1ſt of April it was ſent to the lords. Another bill, on account of the frequent robberies that had been lately committed in the ſtreets of London and Weſtminſter, was brought in, for appointing a better nightly watch, and regulating the beadles in England, and for better enlightening the ſtreets and public paſſages within the weekly bills of mortality. Mr. alderman Barnard, on the 14th of April, preſented the houſe a bill, for the better regulation and government of ſeamen in the merchant ſervice; and on the 21ſt of the ſame month, a bill for the relief of inſolvent debtors, paſſed thro' the houſe of commons, and was ſent to the lords.

CHAP. II.

Spirituous liquors taxed—Debates about the civil liſt—Character of the earl of Harrington—Treaty of Seville—Debates upon it—The Dutch accede to it—Foreign loans prohibited—Debates upon the ſame, and upon the Heſſian troops—Penſion bill, and its hiſtory—Proceedings about Dunkirk and the Eaſt India trade—Profligacy of the common people—Proceedings in Ireland—Muſcovy, Sardinia, France, Spain, Holland, Italy, Conſtantinople—Domeſtic promotions and alterations—Parliament meets—Its proceedings—Character of lord Harvey—Biſhop of Saliſbury's ſpeech upon throwing the penſion bill out of the houſe of peers—Rage of political writing—Duel between lord Harvey and Mr. Pultney—Law proceedings in Latin aboliſhed—The ſecond treaty of Vienna.

High duty laid upon geneva.

ENGLAND at this time was in the moſt imminent danger of being depopulated, by the exceſſive abuſe of a pernicious ſpirituous liquor, commonly called geneva, or gin, which the inferior ranks of people had ran into. The ſtreets and highways were filled with ſquallid, emaciated objects,

objects, all of them brought into that condition, by that intoxicating poiſon; the mother could not give the child at her breaſt its nutritive aliment, nor could the father keep his family from beggary and ſtarving, thro' the rage which each of them poſſeſſed, for a liquor that appeared to have ſomewhat bewitching in its nature, ſo general had the abuſe of it become. In ſhort, it ſeemed to alter the very human ſpecies amongſt Engliſhmen. The government could no longer avoid taking notice of this growing peſtilence, and the remedy ſuggeſted was, to put a duty of five ſhillings a gallon upon all that any diſtiller or retailer of it, except apothecaries, ſhould be poſſeſſed of on the 24th of June 1729, and the like duty upon every gallon of all that ſhould be made thereafter. It was likewiſe reſolved, that every perſon retailing the ſame, ſhould, from the ſaid 24th of June, pay twenty pounds a year for a licence. Geo. II. 1728.

About this time, great complaints were made of the deficiency of the civil liſt revenue, as falling ſhort of producing within the year, the ſum of 800,000 l. which was ſettled for his majeſty's civil liſt. Upon this, the chief officers of the revenue were ordered to attend the houſe, and all neceſſary papers and accounts were ordered to be laid before it. It was there moved, "that the ſum of 115,000 l. be granted to his majeſty, upon account of the arrears of his civil liſt revenues, to be repaid and refunded for the uſe and benefit of the public, out of ſuch arrears of the ſaid revenues as ſhall be ſtanding out at his majeſty's demiſe, and together with the ſaid ſum of 115,000 l. ſhall be more than ſufficient to make up the produce of the ſaid revenues 800,000 l. a year during his majeſty's life, to be computed from the 25th of June 1727." Arrears of the civil liſt revenue, made good after great debate.

Tho' this motion could not, conſidering the preparations for it, be unexpected, yet the oppoſition affected great ſurprize at it. They urged, "that it never had been inſinuated, that the duties and revenues, granted for the ſupport of the civil liſt, fell under 800,000 l. a year; but that on the contrary, they were always ſuppoſed to exceed that ſum." The miniſter, on the other hand, appealed to facts, and to the examinations of the ſeveral officers of the revenue, which the houſe had juſt gone thro'. Upon this, the queſtion being put, it was carried in the affirmative, by a majority of 241 againſt 115.

This ſeſſion it was thought proper to enable his majeſty to purchaſe from the lords proprietors of Carolina, all their title and intereſt in the province. A bill was accordingly brought Other proceedings in parliament.

in

Geo. II. 1728. in by Mr. Scrope for that effect, and paſſed both houſes, to the great emolument of that colony. The bill for diſabling Bambridge from being warden of the Fleet, having paſſed the houſe of commons, met with a ſmall ſtop in the houſe of peers, who wanted evidence to proceed upon; and they demanded a conference upon that head, which being granted, put an end to their difficulties, and the bill accordingly paſſed, tho' in another ſhape.

The great ſucceſs, with which the adminiſtration carried every intereſting queſtion, did not fail to open the mouths of their enemies, who imputed it to the force of corruption only. This outcry, however deſtitute of foundation, became at laſt too general to be longer withſtood, and the oppoſition reſolved to avail themſelves of it. For that purpoſe, a bill was brought in by Mr. afterwards Sir Watkins Williams Wynn, for the more effectual preventing bribery and corruption in parliamentary elections. As nothing could have a more unexceptionable title than this bill, the party thought that if the court ſhould venture to put a negative upon it, it would raiſe an irreſiſtable outcry againſt them, and that, if it was ſuffered to paſs, it would, in fact, diminiſh the influence of the miniſter. He was too wiſe to give countenance to any oppoſition to ſo plauſible a bill, and it had a very quick paſſage through the houſe; and when it came into the houſe of peers, they thought proper to raiſe the penalty upon a corrupt voter, party or agent, in an election for a member of parliament, from 50 l. to 500 l. and the perſon ſo convicted, is to be for ever diſabled to vote for a member of parliament, and diſqualified from holding any office or franchiſe as a member of any city, burrough, town corporate, or cinque-port. The lords likewiſe added to the bill, the following excellent clauſe.

Bill againſt bribery and corruption,

amended by the peers,

"That ſuch votes ſhall be deemed to be legal, which have been ſo declared by the laſt determination in the houſe of commons, which laſt determination, concerning any county, ſhire-city, burrough, cinque-port, or place, ſhall be final, to all intents and purpoſes whatſoever, any uſage to the contrary notwithſtanding."

When the bill was returned with thoſe amendments, the miniſterial party did not enter upon any debate upon the merits of them; but ſeveral gentlemen, who were not at all in the intereſt of the miniſter, had ſome doubts as to the peers interfering in ſo eſſential a part of the privileges of the commons. Had the alterations made, been in favour of the miniſtry, this would have been deemed a very proper and

a very

a very conſtitutional reaſon for throwing the bill out by the lump. But as the caſe was otherwiſe, Mr. P. who took the lead on that occaſion, cried up the patriotiſm of the lords; he even went ſo far as to ſay, "that the lords, as well as the commons, are the guardians of the freedom of parliamentary elections." He then launched out in general declamation upon points which no one pretended to controvert, "that the freedom of ſuch elections was eſſential to the very being of the conſtitution; and therefore, no man, who had any value for liberty, could think the amendments made by the houſe of lords improper, or their enlarging the penalties upon corruption too ſevere; or grudge them the honour of their having made the proviſions of ſo ſalutary a law, more efficacious." The houſe of commons that day happened to be but thin. The miniſter made no point of the queſtion in hand, and therefore left it to its own merit; and the amendments were agreed to by a majority of no more than 91 againſt 89. Geo. II. 1728. and paſſed.

The ſucceſs of this queſtion, which did ſo much honour to the moderation, as well as the diſintereſtedneſs, of the miniſtry, did not ſtem the torrent of oppoſition. The outcry was revived concerning the late king's promiſe to give up Gibraltar to the Spaniards, and it was as falſely as impudently aſſerted, to be abſolute. The truth is, the terms of the letter were a little too ſtrong, and as it was wrote in French by his majeſty's own hand, the whole ſeems to have been a tranſaction that paſſed without the privity of the Britiſh miniſtry. This outcry was the more induſtriouſly ſpread, as the authors of it were of opinion, that nothing but a war could ſhake the power of the miniſter; and that his preſent majeſty had entered into engagements, which muſt come to light in that event, for making the late king's conditional promiſe good. The miniſter, conſcious there was no foundation for ſuch a charge, neglected it more than it then ſeemed to deſerve, and employed all his credit and power to puſh on the money-bills, particularly that for granting to his majeſty 115,000 l. to make good the arrears of the civil liſt revenue. Outcry about Gibraltar revived.

When that bill came into the houſe of peers, it met with a more conſiderable oppoſition than it had dont from the commons. It was there ſaid, "that the act, eſtabliſhing his majeſty's civil liſt revenue, provided only, that ſhould there be a deficiency of the whole ſum of 800,000 l. for any one year, the ſame ſhould be made good out of the next aids in parliament; and that no ſuch deficiency appearing to have Debate in the houſe of peers about making good the arrears of the civil liſt.

Geo. II. 1728. have been within the year, the ſame was in fact a new grant to the crown; and that the grant was entirely irregular and unparliamentary, as it had not been demanded by the crown, or come before parliament in the uſual way."

To this it was replied, "that large arrears, not paid in time, to anſwer the immediate exigencies of government, were, in fact, deficiencies; ſo that the real arguments againſt the grant lay in a miſapplication of words only; eſpecially as care had been taken in wording the ſame, to make proviſion for repaying the money to the public, out of any ſum that may be in arrear at the time of his majeſty's death."

This was the main ſtreſs of the argument on both ſides, tho' it was extended by the oppoſition, to many invidious reflections upon the rapaciouſneſs, the weakneſs, and the want of public œconomy in the adminiſtration. It cannot be denied, but the proceeding itſelf, however reaſonable, was exceptionable, as to the ſhape in which it came before parliament; and perhaps, the vaſt expence into which his majeſty was run, in order to maintain the peace of Great Britain, might have occaſioned the miniſter to hazard a ſmall ſtretch of his parliamentary intereſt upon this occaſion. The bill, however, into which this extraordinary grant was engrafted, and which was entitled, "A bill, for ſettling the price of corn and grain imported, and other purpoſes therein mentioned," paſſed the houſe of peers, but was attended with two very ſtrong and very plauſible proteſts, ſigned each by fourteen peers.

Proteſts thereon.

Other bills paſſed this ſeſſion.

We have but little more to add to our account of the proceedings of this very buſy ſeſſion of parliament, excepting that ſeveral petitions were preſented from the cloathing counties, complaining of a great decay of their trade, chiefly thro' the exportation of Iriſh wool to France, and the exportation of woollen goods, manufactured in Ireland, to Portugal and other foreign countries; but we know of no redreſs the petitioners obtained. The woollen trade to Turky at this time, lay likewiſe under great diſadvantages; owing, indeed, chiefly to the avarice and fraud of the manufacturers, who ſerved the eaſtern countries with inſufficient and ſlight commodities. A queſtion therefore was moved, for bringing in a bill, "for allowing all his majeſty's ſubjects to trade to Turky, and to oblige all clothiers to weave their names and places of abode on each cloth they ſhall make for the future." This motion was rejected, but the next day the act of the 6th of the late reign, for prohibiting the importation of raw ſilk and mohair-yarn, of the product or manufacture of Aſia, except

except ſuch ports and places as are within the dominions of the Grand Seignior, was moved to be repealed. The committee, for enquiring into the ſtate of the public goals, ſtill went aſſiduouſly on, and the king was addreſſed to proſecute the keeper and the farmer of the Marſhalſea-priſon, for malverſations in their office. Geo. II. 1728.

The civil government of Gibraltar attempted;

About the ſame time, the miniſtry, in order to quiet all ſuſpicions, as to any intention of giving up Gibraltar to the Spaniards, had made a conſiderable progreſs towards the eſtabliſhment of a civil government there; and for declaring it a free port, which being communicated to the commons, drew from them an addreſs of thanks to his majeſty, deſiring "that he would be graciouſly pleaſed to continue his care and endeavours to accompliſh the ſame, as ſoon as the nature and circumſtances of it would admit thereof." Great difficulties, however, occurred in perfecting this deſirable ſettlement, ariſing from the circumſtance and ſituation of the place, which required it to be under a military government; ſo that the ſame was not carried into execution, nor, perhaps, at the bottom, did the miniſtry really intend it. The buſineſs of the ſeſſion being thus almoſt over, his majeſty acquainted his parliament of his intention to viſit his German dominions that ſummer, and to leave the queen, regent; and on the 14th of May, he put an end to the ſeſſion with a moſt gracious ſpeech, in which, he highly extolled the wiſdom and patriotiſm of his parliament.

but miſcarries.

End of the ſeſſion.

German affairs.

All this time there was a total ſuſpence of all negotiations for peace, excepting thoſe that were not ripe enough to be owned. The Imperial firſt plenipotentiary ſtill reſided in France, in order to determine himſelf according to the anſwer that was to come from Spain upon the duke de Bournonville's arrival at the court of Madrid; and cardinal Fleury laboured very hard to keep all parties in good humour. The apparent cauſes which this year carried his majeſty to Germany, was to compromiſe ſome differences that had happened between the regency of Hanover and his Pruſſian majeſty, about a breach of the cartel ſubſiſting between thoſe two powers, by the Hanoverians detaining ſome Pruſſian ſubalterns and ſoldiers, as they were paſſing through the territories of Hanover; but this affair was made up, being referred it to the duke of Saxe Gotha.

Another incident at this time happened in Germany, which was very intereſting to his majeſty. The duke of Mecklenberg had been depoſed by the emperor and the aulic council, from his duchy for tyranny, cruelty, and other acts of contumacy,

Geo. II. 1728. tumacy, againſt his Imperial majeſty, and the adminiſtration of that duchy was conferred upon duke Chriſtian Louis. The late king, it ſeems, together with the duke of Wolfembuttel, had been intruſted with the execution of ſome Imperial decrees againſt the duke of Mecklemberg, which had run them into expences, and having obtained a mortgage upon that duchy, they refuſed to part with it, or with the cheſt of its revenues; at the ſame time they hinted to the duke adminiſtrator, that he ought to be cautious how he accepted of the adminiſtration, that had been conferred upon him. Though nothing could be more reaſonable than this demand, the emperor pretending that it would render ineffectual the preſent adminiſtration of the duchy, publiſhed a reſcript, requiring the king of Great Britain and the duke of Wolfembuttel to deſiſt from their claims, till they ſhould be ſettled in an amicable manner. But this reſcript had very little weight with thoſe princes, and they returned an anſwer to it, writing a letter the ſame time to the king of Pruſſia with the anſwer incloſed, and deſiring that prince to concur with them, in maintaining the rights of the empire.

Nov. 9. But the great event, which this year ſtruck all Europe, was the concluſion of the treaty of Seville, between the king of Great Britain and his Catholic majeſty. Colonel Stanhope, afterwards earl of Harrington, was allowed by all parties to underſtand foreign affairs the beſt of any miniſter in England. Though employed in moſt negotiations abroad, and truſted by the miniſter at home, yet ſuch was his moderation, good ſenſe, and integrity, that he was not conſidered as a party-man, and had few or no perſonal enemies. His maſter had given him very early marks of diſtinction and confidence, and ſeemed to have a pleaſure in advancing his fortune and dignity. He had this year been nominated ambaſſador extraordinary to his Catholic majeſty, and, together with Mr. Keene, the Britiſh plenipotentiary at the court of Madrid, had the management of this treaty on the part of Great Britain; the Spaniſh plenipotentiaries being the marquis de la Paz and don Joſeph Patinho.

Character of the earl of Harrington.

Contents of the treaty of Seville. By the firſt article of this celebrated treaty, all former treaties and conventions between the two powers, are as amply confirmed, as if they had been there, word for word. By the ſecond article, the two kings guarantee each other's kingdoms; and in caſe of either of them being attacked, the other is to furniſh the party ſo attacked, with 8000 foot and 4000 horſe, the ſame to be furniſhed either in men, ſhips of war or tranſports, or money. The third article makes

void all his majeſty's engagements by the treaty of Vienna, that could be prejudicial to the treaties between the two crowns, antecedent to the year 1725. By the fourth article, the commerce of the Engliſh and French nations, both in Europe and in the Indies, are to be reſtored to their former footing, and orders are inſtantly to be diſpatched on all ſides for that purpoſe. The fifth article obliges his Catholic majeſty to make reparation for all damages that had been done by his ſubjects to other contracting powers. The 6th, being of the utmoſt importance, and having been attended with great conſequences and alterations, we ſhall give verbatim.

Geo. II. 1728.

"Commiſſaries ſhall be nominated with ſufficient powers on the part of their Britannic and Catholic majeſties, who ſhall aſſemble at the court of Spain, within the ſpace of four months after the exchange of the ratifications of the preſent treaty, or ſooner, if it can be done, to examine and decide what concerns the ſhips and effects taken at ſea on either ſide, to the time ſpecified in the preceding article. The ſaid commiſſaries ſhall likewiſe examine, and decide according to the treaties, the reſpective pretenſions, which relate to the abuſes that are ſuppoſed to have been committed in commerce, as well in the Indies as in Europe, and all the other reſpective pretenſions in America, founded on treaties, whether with reſpect to the limits, or otherwiſe. The ſaid commiſſaries ſhall likewiſe diſcuſs and decide the pretenſions which his Catholic majeſty may have, by virtue of the treaty of 1721, for the reſtitution of the ſhips taken by the Engliſh fleet in 1718. And the ſaid commiſſaries, after having examined, diſcuſſed, and decided the aboveſaid points and pretenſions, ſhall make a report of their proceedings to their Britannic and Catholic majeſties, who promiſe, that within the ſpace of ſix months after making the ſaid report, they will cauſe to be executed, punctually and exactly, what ſhall have been ſo decided by the ſaid commiſſaries."

The ſeventh article contains a ſtipulation of commiſſaries, to be appointed on the part of his moſt Chriſtian and Catholic majeſties, for deciding all differences. The eighth article limits the time for the ſeveral commiſſaries finiſhing their commiſſions to three years.

By the ninth article, 6000 of his Catholic majeſty's troops are, without loſs of time, to garriſon Leghorn, Porto Ferraro, Parma and Placentia, which troops ſhall ſerve for the better ſecuring and preſerving of the immediate ſucceſſion of the ſaid ſtates, in favour of the moſt ſerene infant don Carlos, and to be ready to withſtand any enterprize and oppoſition,

Geo. II. 1728. which might be formed, to the prejudice of what has been regulated touching the ſucceſſion.

By the tenth article, the contracting powers are to uſe the ſofteſt and moſt effectual means of perſuading the dukes of Tuſcany and Parma, that the garriſons might be quietly received; and ſtipulating the taking of an oath to be faithful to to the regnant powers, in every thing that ſhall not be contrary to the right of the ſucceſſion, reſerved to the moſt ſerene infant don Carlos. It is likewiſe ſtipulated, that the ſaid garriſon ſhall not meddle directly nor indirectly in the government of the places where they are garriſoned, and render to the dukes of Tuſcany and Parma, all the honours that are due to ſovereigns in their own dominions.

By the eleventh article, his Catholic majeſty engages to withdraw his troops from the ſaid garriſons, as ſoon as the ſaid ſucceſſions are quietly ſettled in the perſon of don Carlos his ſon. By the twelfth article, the contracting powers become guarantees for don Carlos quietly poſſeſſing and enjoying the ſaid ſtates of Tuſcany, Parma and Placentia, after he has ſucceeded thereunto.

By the thirteenth article, the kings of England and France promiſe to ratify and guarantee all the particular regulations that ſhall be concerted between his Catholic majeſty and the two dukes of Tuſcany and Parma, relating to the ſaid garriſons. The 14th article ſtipulates, that the States General of the United Provinces ſhall be invited to accede to the treaty, the ratifications of which, were to be diſpatched within the ſpace of ſix weeks at fartheſt.

Separate articles.

Beſides theſe, there were two ſeparate articles; the firſt, confirming the treaties of peace and commerce, concluded at Utrecht the 13th of July and 9th of December, in the year 1713, in which are comprized the treaty of 1687, made at Madrid, and the cedulas therein mentioned, the latter treaty made at Madrid the 14th of December 1715, as alſo the particular contract, commonly called the Aſſiento, for bringing negro ſlaves into the Spaniſh Indies, which was made the 29th day of March, in the ſaid year 1713, in conſequence of the 12th article of the treaty of Utrecht, and likewiſe the treaty of declaration, touching that of the Aſſiento, made the 26th of May 1716. The 2d ſeparate article ſays, that all ſhips, merchandize and effects, which ſhall not have been taken or ſeized on account of unlawful commerce, and which ſhall now be proved by authentic proofs and documents, to have been detained, ſeized, or confiſcated, in the ports of Spain, either in Europe or in the Indies; and namely,

namely, the ſhip Prince Frederic and her cargo, if they have not been reſtored already, ſhall be immediately reſtored, in the ſame kind as to thoſe things which ſhall be found ſtill remaining in that condition; or in default thereof, the juſt and true value of them, according to their valuation, which, if it was not made at the time, ſhall be regulated by the authentic informations, which the proprietors ſhall exhibit to the magiſtrates of the places and towns, where the ſeizure is made. His Britannic majeſty ſtipulates the ſame on his part, and all matters of controverſy, not yet ſettled between the two nations, are to be left to the diſcuſſion of the commiſſaries, upon the footing of the treaties there abovementioned. Geo. II. 1728.

Such were the contents of the famous treaty of Seville, which afterwards produced ſuch alterations as to the ſyſtem of power in Europe, aided by the other events, which happened. This year, the French monarchy received a great acceſſion of ſtrength and ſecurity, by the birth of a dauphin in September. 1729-30. The parliament meets.

On the 13th of January the Britiſh parliament met, and the ſeſſion was opened by a ſpeech, in which his majeſty congratulated his people upon having concluded an abſolute peace with Spain, and thereby prevented the miſeries and confuſions of war. He aſſured them, "the peace was agreeable to the purport and intention of former treaties, and calculated to make the ſtipulations of the quadruple alliance more effectual, and that ſufficient proviſion had been made for the indemnification and future ſecurity of the trading intereſt, and that he had given orders for making an immediate reduction, both of the army and the fleet. He recommended to their conſideration, the ſtate of public credit, and the hardſhips of poor artificers and manufacturers." King's ſpeech.

When the commons returned to their houſe, ſir Robert Walpole laid before them the treaty of Seville, and the court party moved for a very particular and loyal addreſs of thanks to the throne, almoſt in the very terms of the ſpeech. This motion was made by lord Fitzwilliams, but oppoſed by the country party, who were for ſaying no more than "to aſſure his majeſty of the ſteady and zealous attachment of the houſe to his royal perſon, government and family; and that the houſe would effectually ſupport his majeſty in all meaſures, which ſhall be neceſſary for the honour and dignity of his crown, and for the intereſts and welfare of his people." Addreſs from the commons. Journals of the houſe of commons.

In ſupport of this alteration and omiſſion, many ſevere things were ſaid of the treaty, which had been made public for ſome time. Sir John Hind Cotton, a ſharp, ſevere, but

Geo. II. 1729-30.

not a weighty ſpeaker, was generally looked upon as one of the chief tories in the houſe, and was always ready to join in every meaſure of oppoſition to the court. He ſaid, that the miniſtry had impoſed upon his majeſty in calling the peace an abſolute one; becauſe the moſt important intereſts of Great Britain were left to a future diſcuſſion. The miniſter maintained, that the peace was abſolute, and that no difficulties could happen in the execution of it, unleſs the Spaniards and other powers were encouraged to raiſe them by the diſſenſions that might happen at home. Many other ſpeeches were made on both ſides; but the queſtion being put for the above words to be left out, it was reſolved in the affirmative by a majority of 261 againſt 129. The addreſs firſt moved for was then carried up to his majeſty, who gave it a moſt gracious anſwer.

Sir John Hind Cotton's character and ſpeech.

Addreſs from the peers.

In the houſe of peers, whoſe addreſs was equally loyal and equally well received, a day was ſet apart for taking into conſideration the treaty of Seville. Here the debates were of great length and importance. It was urged, that his imperial majeſty would certainly detach himſelf from the intereſts of a people whoſe miniſters had concluded a treaty ſo eſſentially different from the quadruple alliance. To this it was replied, that there neither was, nor could be, any eſſential difference, if the emperor was ſincerely, and bona fide, reſolved to fulfil the terms of the quadruple alliance as to the eventual ſucceſſion to the dutchies of Tuſcany, Parma, and Placentia; and that introducing Spaniſh inſtead of neutral troops into the gariſons of thoſe dominions, could make no material difference, eſpecially as the treaty had, in the ſtrongeſt manner, ſtipulated, the troops ſhould be withdrawn as ſoon as the ſucceſſion to the dutchies, which was a main object of the quadruple alliance, ſhould be ſecured. It was farther urged, that though there was an immaterial difference, which might give umbrage to the court of Vienna, between the treaty in queſtion and the quadruple alliance; yet the preſervation of the tranquillity of Europe, and the obtaining ſatisfaction and ſecurity to our commerce, were conſiderations that ought infinitely to outweigh any apprehenſion from a reſentment that could be founded only upon pride and ambition.

Oppoſition thereto.

The treaty of Seville.

Great exceptions were taken by the lords in the oppoſition at the ſixth article; obliging the merchants and others who had ſuffered by the Spaniſh depredations, to repair to the court of Spain, in order to make proof of their loſſes. This was ſaid to be not only a diſcouragement to the ſufferers, but derogatory to the honour of the nation. But this was con-

conſidered as an unreaſonable objection; ſince it was neceſ- Geo. II.
ſary the merchants ſhould apply where only they could have 1729-30.
redreſs. The commiſſaries were to meet at the court of
Spain; they could not properly meet elſewhere, becauſe the validity, or invalidity, of the captures complained of, muſt be diſcuſſed in thoſe courts where the proofs remained; and the law of nations eſtabliſhes the ſentence of the court of admiralty of that nation, by whom the capture is made, to be final in all caſes and in all parts. Had the Spaniards been the complainants, the complaints muſt have been diſcuſſed in Great Britain.

The trite exception at the omiſſion of the formal renunciation by the crown of Spain of all claims to Gibraltar and the iſland of Minorca, was here renewed, but with very little ſucceſs; as it would, in fact, have been highly impolitic to have inſiſted upon ſuch a renunciation. The lords on the ſide of the miniſtry very properly obſerved, that the Spaniards never could, even while on the beſt terms with England, be brought to relinquiſh their right to Jamaica, which, notwithſtanding, the Engliſh poſſeſſed ſecurely and unqueſtioned. They obſerved farther, that the ſtrongeſt renunciation would be invalid, ſhould the Spaniards ever be in a condition to diſpute the Engliſh property in thoſe places that England had conquered from the crown of Spain; and therefore to have inſiſted upon an abſolute formal renunciation, would not only have been quite needleſs, but in caſe of the Spaniards refuſing it, would have even weakened our title to thoſe places, beſides hazarding the whole ſucceſs of the negotiation, which was maintained to be highly for the honour as well as intereſt of England. Anſwer of the miniſterial lords.

The other exceptions to this treaty were extreamly frivolous; and experience has ſince fully demonſtrated how groundleſs they were. Notwithſtanding this, the oppoſition by the means of able and plauſible ſpeakers and writers, impreſſed the nation, particularly the commercial part of it, with ſtrong prepoſſeſſions againſt the whole of this negotiation, which were heightened by an artful proteſt againſt the treaty, ſigned by 24 peers, and induſtriouſly circulated all over the united kingdoms. The following motion was then made, viz. "That the agreement in the treaty of Seville, to effectuate the introduction of Spaniſh troops into Tuſcany and Parma, is a manifeſt violation of the fifth article of the quadruple alliance, tends to involve the nation in a dangerous and expenſive war, and to deſtroy the ballance of power in Europe." A negative was put upon this A proteſt entered. Motion and proteſt againſt the treaty of Seville.

Geo. II. 1729-30. queſtion, by a majority of 86 againſt 31. The next queſtion that was moved was, "that our right of ſovereignty, dominion, poſſeſſion, and propriety to Gibraltar, and the iſland of Minorca, is not aſcertained by the treaty of Seville, ſo as to extinguiſh the claims and pretenſions ſet up by the Spaniards, which were followed by an actual ſiege, ſince the ceſſion of thoſe valuable places by the treaty of Utretcht." A negative was likewiſe put upon this queſtion, by a majority of 85 againſt 31. The next motion was, "that the ſtipulations in the treaty of Seville, for repairing the loſſes of our merchants, are inſufficient and precarious," and it likewiſe miſcarried.

Motion paſt on the part of the miniſtry.

The oppoſition being thus defeated in all their motions, it was moved, and carried on the part of the court to reſolve, "that the treaty of peace, union, and friendſhip, concluded at Seville on the 9th of November laſt, doth contain all neceſſary ſtipulations for maintaining and ſecuring the honour, dignity, rights, and poſſeſſions of the crown; and that all due care is taken therein for the ſupport of the trade of the kingdom, and for repaying the loſſes ſuffered by merchants."

Reflection.

Nothing could be a greater proof of the infatuation that people may be under from party prejudices, than the treatment which this negotiation met with all over the kingdom. The miniſtry, it muſt be acknowledged, in concluding it, had chiefly in their eye the preſervation of the public tranquillity, by which England was every day making immenſe acquiſitions of wealth and commerce. But this was a conduct very diſtant from, and deſtructive of, the views of the oppoſition, who knew that the miniſtry never could be ſhaken but in a time of war or public commotion. The miniſtry, on the other hand, treated the oppoſition they met with, too ſupercilioufly within doors, and too incautiouſly without. Secure of their own numbers in the houſe of commons, and conſcious that the oppoſition was carried on only from views of intereſt and ambition, they did not enter into that length and ſolemnity of debate that was neceſſary either for the conviction or converſion of the few who oppoſed them from principle only. In ſhort, matters were rather carried by dividing than debating. Many noblemen and gentlemen of great and independent fortunes, took this method of proceeding amiſs, and reſented it by voting againſt the miniſtry. This gave the public ſuch unfavourable impreſſions of his majeſty's meaſures, that nothing either ſpoken or wrote for the miniſtry, had a fair hearing. It muſt be owned at the ſame time, that thoſe preposſeſſions were in a great meaſure owing to the weakneſs of

the

the miniſterial advocates without doors, who in general were the very worſt pens that money or favour could procure. Geo. II. 1729-30.

By this time Vandermeer, the ambaſſador from the States General in Spain, had acceded to the treaty of Seville; which acceſſion was ratified by his maſters, and the ratification, on the 23d of January, was laid before the parliament. This acceſſion, however, was not obtained, till the king of Great Britain and his moſt Chriſtian majeſty prevailed with the king of Spain to join with their endeavours to procure to the republic an entire ſatisfaction as to the aboliſhing the trade and navigation of the Oſtend company to the Indies, and as to the affairs of Eaſt Friſeland. The forces to be furniſhed by the States General, as their quota, were to be four thouſand foot and one thouſand horſe; and the three kings promiſed, that if their High Mightineſſes were attacked on account of their acceſſion to the treaty, they would inſtantly furniſh their reſpective quotas. The Dutch accede to the treaty of Seville.

Thoſe negotiations gave the oppoſition a handle for ſaying, that the court was playing a hidden game; and therefore, January 26, an addreſs was moved for in the houſe of commons, "that the king ſhould communicate to the houſe any engagements he may have entered into for the payment of ſubſidies to foreign princes, or the hire of foreign troops, which have not already been laid before the houſe." This motion was oppoſed, as being very indecent, and implying a mean ſuſpicion of his majeſty; it was therefore thrown out upon the previous queſtion, by a majority of 200 againſt 107. Motion in the houſe of commons.

The emperor was far, as our miniſtry and the court of Spain flattered themſelves, from being paſſive as to the treaty of Seville. He filled all Europe, Germany eſpecially, with reſcripts and remonſtrances againſt the indignity that had been done to the Imperial court and the Germanic body by that treaty. He was anſwered, in recriminations chiefly, by the French miniſters, who denied ſome facts charged upon the allies of the Seville treaty; and ſaid in general, "that nothing had been done, but what the emperor was ready to have done himſelf, had certain conditions, eſſential to the intereſts of his houſe, been complied with." This recrimination rather exaſperated than confuted the court of Vienna. They made themſelves ready for war; and being in want of money, they ſet on foot a negotiation for a loan in England of 400,cool. England being the only country where they could raiſe money, as the great ſubſidies which they uſed to receive from Spain were now cut off. Altercations between the Imperial and French courts.

A nego-

Geo. II. 1729-30. A negotiation for ſo large a ſum could be no ſecret; and it alarmed the miniſtry, who thought it was to be employed againſt the tranquillity of Great Britain, or in a war that certainly muſt affect his majeſty, either in his electoral or his hereditary dominions. A bill of a very extraordinary nature was therefore now brought into the houſe of commons, "To prevent or prohibit any perſon or perſons, his majeſty's ſubjects, or reſiding within his kingdom, to advance or lend any ſum or ſums of money to any foreign prince, ſtate, or potentate, without having obtained licence from his majeſty, under his privy ſeal, or ſome greater authority." This, in fact, was a bill that ought to have been moved for by the oppoſition; but as it came from the miniſtry, it was ſtrongly debated. The enacting clauſes of the bill ſaid, "That the king ſhould be empowered by proclamation, which ſhall take place within a limited time, to prohibit all ſuch loans of money, jewels, or bullion; and this prohibition to continue a limited time, under limited penalties and forfeitures, unleſs diſpenſed with by the crown: that the attorney general be empowered by Engliſh bill in the court of exchequer, to compel the effectual diſcovery on oath of any ſuch loans; and that in default of an anſwer to any ſuch bill, the court ſhall decree a limited ſum againſt the defendant refuſing to anſwer." The act was not to extend to prohibit any ſubſcriptions to the public funds or trading companies of foreign kingdoms.

Bill brought into the houſe of commons for prohibiting loans to foreign powers.

Great debates on the ſame.

When this bill was read a ſecond time, Mr. Daniel Pultney, who, in foreign matters, was the oracle of the oppoſition, ſpoke againſt it in very ſtrong terms; but his reaſoning turned entirely upon perſons and accidents; and his concluſions were fallacious. He ſaid, "that the bill would make Hol-
"land the market of Europe, and the mart of money to the
"nations of the continent." Sir William Young, with great juſtice, anſwered, "That if the emperor could have bor-
"rowed money in Holland, where they would have been
"glad to lend it him at three per cent. he never would have
"applied for it in England, where he muſt pay four." Mr. Pultney urged, with great aſſurance, "That the Dutch mer-
"chants, when Holland was at war with Spain, who treat-
"ed them as rebels, lent the Spaniards money, arms, and
"ammunition." To this it was anſwered, "That if
"the fact was ſo, it was a very bad and a very impolitic
"meaſure. That perhaps ſome ſuch practices were, in the
"late war, carried on by ſome private Dutch merchants;
"but all England, all Europe, nay, their own government,
"blamed

Mr. Daniel Pultney.

Sir William Young.

"blamed and cenſured them for it." Mr. Pultney had ſaid, "That the bill would diſable our merchants from lending his Portugueſe majeſty money; which might be attended with very bad conſequences to the nation." Sir Robert Walpole took off that objection, by obſerving, "That it was "in the power of the crown to enable any ſubject to lend "money to a friend; and that he would take it upon him "to ſay, that the crown could not be its own enemy ſo far "as to abuſe the power which the bill was to inveſt his ma-"jeſty with, as to deny any ſubject the liberty of placing "out his money to the beſt advantage." It was urged by the oppoſition, "that the bill armed the miniſtry with too "great power;" and ſaid Mr. D. Pultney, "the licenſing "buſineſs may, by tolerable huſbandry, turn out an article "of twenty, thirty, or forty thouſand pounds a year." To this ſir William Young anſwered, "That the trade, ſup-"poſing it to be one, could not bear to pay ſuch an ex-"pence. That ſuppoſing even a million, a ſum double of "what could be reaſonably ſuppoſed to be negotiated for fo-"reign princes, were the crown to get forty thouſand pounds, "the lender, even ſuppoſing them to get five per cent, would "have but one per cent." Geo. II. 1729-30.

But the real weighty objection againſt the bill was, that whilſt it reſtrained our merchants from aſſiſting the princes and powers of Europe, it permitted our ſtock-jobbers to trade in their funds without any interruption. "I know," ſaid Mr. D. Pultney, "for whoſe benefit this complaiſance is de-"ſigned; but jobbing abroad in the ſtocks of foreign na-"tions, is what we ſhould leaſt encourage, and what we "ought principally to prohibit: for we have ſuffered ſeverely "by that means already; and our miniſtry would never give "us relief or aſſiſtance." He then launched out in invec-tives againſt the French, "who deceived the Engliſh in the "affair of the Miſſiſſippi, by giving them paper inſtead of "ſpecie; and was very ſevere upon the miniſtry for never "interpoſing their good offices for the unhappy ſufferers in "thoſe fatal, thoſe faithleſs ſchemes." Objection to the bill.

Tho' this was the moſt ſenſible argument urged againſt the bill; yet it came with a very bad grace from the oppoſers of it, who ſet out upon the principle of the abſolute neceſſity of putting no reſtrictions upon the negotiating part of the people; neither did they urge it ſo far as it might have been carried. The true objection to the bill, and that which the miniſtry was moſt afraid of was, that any foreign dealings in public funds ſhould abſolutely be prohibited; for the plain reaſon, Reflection.

Geo. II. 1729-30 reaſon, that while ſuch dealings were allowed, it would be eaſy for any Engliſhman, inclined to lend his money to the emperor, to elude the act. But the oppoſers of the bill did not carry their objections to it ſo far; becauſe they were afraid the miniſtry might have taken them at their word, which would have hazarded their popularity with the monied intereſt. Sir Robert Walpole, therefore, in all the ſpeeches he made in ſupport of the bill, reſted the merits of it entirely upon the neceſſity of the meaſure at that particular juncture. Some of the merchants of the city of London were of opinion, that an exception ought to be made by which the prohibition ſhould be for the emperor only, but not to extend to other powers. But, Sir Robert Walpole ſaid, "that it was no objection to the bill before them; that any prince, ſtate, or potentate, was equally intended with the emperor: that the end of it was to prevent a war with that prince; and to name him in this caſe diſtinct from all others, would amount to a full declaration of war; beſides, one prince might borrow money for another, and elude the import of the law: but as to the king of Portugal, or any other prince in alliance with the crown of Great Britain, his majeſty would readily grant his allowance for loans to ſo good an ally: however, the law would not have an effect, but in caſe of apparent neceſſity. If the emperor gave his majeſty reaſon to oppoſe his intentions, it might produce a future proclamation: yet this was eventual; it might be, or it might not be: and if it ever ſhould happen, no ſubjects of Great Britain, no merchants abroad, could offend through ignorance of ſuch a proclamation: the bill was drawn with a blank, to be filled with a proper limitation of time, before that the law ſhould take place, the prohibition held good, and that limitation might be very large and extenſive, that merchants abroad might be duly informed of the terms which the law had enjoined." Sir Robert owned, "he was not ſo converſant in the laws as ſome gentlemen were, who could juſtly ſupport this bill in its proviſion for a proper diſcovery of evidence by precedents; he was a ſtranger to that: he himſelf remembered the act to prevent the ſubjects of Great Britain from trading in the Oſtend company: that there the ſame method of diſcovery was provided; and ſhould not the public detect ſuch a criminal commerce with a powerful and a national enemy, when they were allowed it againſt a little interloping company? It was far from ſetting up a court of inquiſition; it was far from laying hardſhips or ſeverities on any man. But it was for the prevention of fraudulent dealings of concealed

Sir Robert Walpole's ſentiments, and ſpeech.

tranſac-

tranſactions; and it involved the party in no other penalty than one, which he could not incur but through conſcious guilt; which he might eaſily avoid, by purging himſelf of the crime: and that this penalty was ſtill, in the judgment of the houſe, to be limited by their authority; having no other end than to be ſuch a tax upon loans as might make it unprofitable to advance them for the higheſt premiums or intereſt." He alſo obſerved, "that the proclamation provided in the bill, was the ſame as by law had been uſual in the caſe of quarantine in the apprehenſions of a peſtilence, and as a prevention of any contagious diſtempers: he thought it a reaſonable remedy on all ſuch appearances of danger: it would not be made uſe of, unleſs ſuch grievances happened; and if they did happen, he thought they deſerved a redreſs." He therefore concluded with repeating his motion to commit this bill, as highly expedient and neceſſary. Geo. II. 1729-30.

The debate was carried on, notwithſtanding its importance, with very little decency; and one gentleman in the oppoſition ſaid, "he had a point of order to debate; that the honourable gentleman had brought in the name of the king, to influence their conſideration, contrary to the ſtanding rule of the houſe: that it was never allowed, that the name of the king ſhould ever be uſed upon any occaſion to over-awe their proceedings, or to over bear their debates: that if the honourable gentleman had been properly careful of his majeſty's honour, he would not have mentioned his name at that rate; he would have informed them of the evidence he had, and regularly brought it before them in the preſent enquiry: that whatever that evidence might be, he ſuppoſed it might come from foreign miniſters; and he thought the houſe ought to have it opened in a proper parliamentary way." He added, "his opinion was againſt the bill: he thought it reſtrained our commerce; and we might as well prohibit all commerce." Debate continued.

Sir Robert Walpole ſaid, "the manner of his declaration had been very much miſtaken; that he was parliamentary in what he ſaid; he well knew, and duly obſerved, the orders of the houſe: that he had not brought it in the name of the king to influence gentlemen, or to over-bear the debates: that he had mentioned the poſitive aſſurances which were received not as a meſſage from the king, but by his majeſty's leave; not by his command, but only by his permiſſion: that the ſtation he was in, obliged him to aſk that permiſſion; becauſe that by his oath he was obliged to keep the king's counſels ſecret; and therefore he aſked this allowance from his majeſty

Geo. II. 1729-30. jeſty yeſterday morning, apprehending the debate of this day would require him to mention it; and he had offered it to prove the importance of the bill now before them."

Mr. Gould's aſſertion. Mr. Gould, a merchant, and a member, ſpoke to the fact, by ſaying, "that he knew a Jew, who refuſed to advance thirty thouſand pounds, and other large ſums, for fear of the government's diſpleaſure." He thought, at the ſame time, "that all applications by the merchants for licences to lend money, ought to be without any charge to the merchants." Though this was thought reaſonable by the houſe, and agreed to on the part of the miniſter; yet it did not take off the imputation that had been urged by Mr. Pultney, "that the act, if the bill paſſed into an act, might be converted into a miniſterial lucrative jobb." Sir William Windham's "Becauſe," ſaid ſir William Wyndham, "notwithſtanding the plauſibility of exempting the merchants from any expence of application; yet no man can ſay what he may be obliged to pay, before he ſhall find means to make that application ſucceſsful." Mr. Plummer, who was a ſhrewd ſenſible ſpeaker againſt the miniſter, was not againſt the bill; but thought it ought not to give ſo much power, as it did, to the miniſtry; and that it ought not to be carried into execution by a proclamation, which he thought had too much the air of an arbitrary prerogative, and which had been ſo repeatedly complained of by the people of England under the Stewart family."

and Mr. Pelham's ſpeeches. In anſwer to this laſt objection, Mr. Pelham, who was then ſecretary at war, ſaid, "that the friends of the bill had no intention to make the miniſtry judges in matters that the houſe could decide; but that it was in tenderneſs to the people that a proclamation was thought of, as being a more ready way than any other to put them upon their guard: that it was to be hoped, that the affair could yet be adjuſted without a proclamation; but that if the houſe would not have it eventual, if they would have it immediately, he would not oppoſe any ſuch demand."

Mr. Barnard. The next who ſpoke was Mr. afterwards Sir John Barnard, one of the city members; who thought that if the bill paſſed in its preſent ſhape, it would open a channel for the Dutch to carry on a very lucrative branch of buſineſs to the prejudice of England. He was for having the bill abſolutely name the emperor as the power prohibited to borrow, otherwiſe all the other ſtates of Europe would think themſelves equally pointed at by the act, which would give it an air as if England was at war with the whole world. He likewiſe declared againſt making the exchequer a court of inquiſition;

quiſition: he conceived it to be unknown to, and odious in this conſtitution, that ſubjects ſhould be obliged to accuſe themſelves, and thereby incur the worſt penalties. He knew there were, indeed, ſuch precedents already; but that it was ſo much the worſe: precedents cannot alter the nature of a thing; and he thought the liberties of his country more weighty than any precedents whatever. Geo. II. 1729-30.

He was anſwered by ſir Philip York, attorney-general, in a very maſterly ſpeech, which ſhowed his ſuperiority in point of law over all who had ſpoken in the debate; for ſir Robert Walpole had fairly owned, he had difficulties which he had referred to the gentlemen of the long robe: that they had reſolved them, and doubted not they would reſolve thoſe of the houſe likewiſe. On that account ſir Philip was the more diffuſe, eſpecially as he had had a principal hand in drawing up the bill. Sir Philip York.

"He thought, that if the Dutch government ſhould act as good allies to England, and well-wiſhers to the liberties of Europe, they would come to ſome reſolution of the ſame purport with that of the bill in queſtion. He thought they were ſufficiently juſtified in drawing the bill, not only from reaſon and the fitneſs of things, but from the common law of the kingdom: that his majeſty had a lawful prerogative to recall his ſubjects by proclamation from the ſervice of foreign ſtates; and ſhould he not likewiſe have power to prohibit them from lending them money, which might be more uſeful and dangerous than even the ſervice of their perſons. That in Ireland, the parliament had made it high treaſon to enliſt men for foreign ſervice, without licence obtained from the crown; and ſurely a reſtraint upon money, the ſinews of war, was highly expedient any where. That the law was deſigned only to obviate an impending evil; but was not to be eſtabliſhed in perpetuity. He ſaid there was no other way of making the law effectual in ſuch a caſe, but by diſcovering evidence by Engliſh bill in the court of exchequer; and that without that clauſe, the bill would be uſeleſs, and ought to be thrown out. He mentioned the memorable law, amongſt others, which puniſhed the South ſea directors, and which made it felony to refuſe anſwering, or to demur to a bill for diſcovery of concealments: and yet, if they did diſcover a concealment, the very anſwer was good in evidence againſt them, and the concealment was felony. But there was a limited ſum; and no other penalty could be the conſequence attending conſcious guilt upon ſuch a bill of diſcovery. That by conſtruction of a court of equity, ſuch a bill would have been

Geo. II. 1729-30. been allowed, if the clauſe for the diſcovery had not been inſerted. That the barons of exchequer had maintained the legality of ſuits, to diſcover frauds and miſdemeanors relating to the revenue; nor could it be denied, that this was as juſt by parity of reaſoning, though, if the houſe ſhould throw out the clauſe, it might make the judges unwilling to ſupply it by ſuch a conſtruction."

Sir William Windham ſpeaks again,

Sir William Windham, who, for very obvious reaſons, was no friend to the Dutch nation, obſerved, "that there was no ground for believing their government would order any ſuch prohibition, as what the bill implied. That in the late war with France, we drew them into a bargain, and paid them a price for diſcontinuing their trade with the French, which they did for one year only, but took our money for two or three more; and when required to fulfill the tenor of their contract, they declared, they neither could nor would do any ſuch thing. That it was therefore not to be imagined the Dutch would refuſe to lend their money to the emperor now, any more than to trade with the French in the queen's war; and that he looked upon all theſe reſtraints upon liberty, as unjuſtifiable powers in the hands of a miniſter."

and ſir Robert Walpole.

Sir Robert Walpole, in the courſe of the debate, had mentioned the ſuſpenſion of the habeas corpus act, which, "though it threw great power into the hands of government, ſeldom or never was attended with any bad conſequences, but always with good." In anſwer to this, ſir William Windham ſaid, "that to argue from any ſuſpenſion of the habeas corpus act, to the ſuſpenſion of trade, was to argue from one evil to another. That the practice of Engliſh bill in the exchequer, for diſcovering evidence, though warranted by law, was what he could by no means approve of. That he had heard the South-ſea act mentioned, but, though it was a law, and therefore to be tenderly uſed, he was no more convinced of the juſtice of that than of this, and that he found from ſome paſſages of the debate, that becauſe we ſtood in fear of a war with the emperor, therefore the nation muſt bear whatever the French ſhould impoſe."

Journal of the houſe of commons.

One of the members after this, ſaid, "that ſir Robert Walpole ought, ſince he had mentioned the thing, to inform the houſe, what ſecret intelligence he had received. He inſiſted upon it, that the emperor having depoſited in Holland jewels, as pledges for 400,000 l. which he wanted to borrow, he knew no reaſon why he and other Engliſhmen, who had money to lend, ſhould not, as well as their neighbours

bours the Dutch, make an advantageous bargain." This laſt fact, however, was denied by other members, and the queſtion for the paſſing the bill was carried, upon a diviſion, by a majority of 84 againſt 66. Geo. II. 1729-30. Diviſion.

Sir Robert Walpole ſhewed himſelf an able miniſter in this debate, which we have given the more fully, that it may appear with what unreaſonable obſtinacy all his meaſures were then oppoſed. The act in itſelf was undoubtedly conſtitutional, and would have been effectual, had the miniſtry been in earneſt, to have carried it all the lengths it might have gone. But in fact, the bill was brought in to pleaſe the court of Spain, with which ſir Robert uſed great management at that time. The cloaking the meaſure, therefore, under any apprehenſions Great Britain could be under from the emperor, was, by men of underſtanding, looked upon as an impoſition and an abſurdity. Sir Robert affected great candor and great openneſs in all the ſpeeches he made upon this occaſion, and ſeemed to give up to the oppoſition every thing but the prudential conſideration, upon which he laid great, and, indeed, deciſive, ſtreſs. Obſervations on the debate.

After all the proper and uſual papers and eſtimates had been laid before the houſe, the commons, January 29, voted 17,709 land-forces, for the ſervice of the current year. This meaſure was ſtrongly oppoſed in the declamatory way, by thoſe very members, who, had they themſelves been miniſters, would have contended for a much greater number; but not being able to make any diviſion, that would not have expoſed the weakneſs of their party, they were forced to content themſelves with plying the houſe with motions, that they knew, if agreed to, would render the miniſter uneaſy, and, if rejected, would make him unpopular. No ſooner, therefore, was the number of land-forces voted, than it was moved, Land-forces voted by the commons.

"That an humble addreſs be made to his majeſty, humbly to repreſent, that this houſe, having, upon conſideration of the preſent ſtate of affairs, voted ſuch a number of land-forces, to be kept up in this kingdom, for the current ſervice of the year, as was propoſed by the eſtimate laid before this houſe by his majeſty's directions, aſſure themſelves, that his majeſty, from his juſt regard to the conſtitution of this kingdom, as well as his earneſt deſire to eaſe his people of every charge, not abſolutely neceſſary, will take the firſt opportunity to make a farther reduction of thoſe forces, if the ſtate of affairs ſhould admit thereof, before the concluſion of this, or the beginning of the next, ſeſſion of parliament." Motion for an addreſs.

Geo. II. 1729-30. This motion was oppoſed, as being unneceſſary in itſelf, and diſreſpectful towards his majeſty, whom the houſe had no reaſon to diſtruſt; and who had again and again declared, "he would take the firſt opportunity of eaſing his people of the extraordinary charges of his government." The motion, therefore, was, upon the queſtion put, rejected without a diviſion. When the mutiny act, which eſtabliſhes the army, came, March 16th, to the houſe of peers, ſome lords in the oppoſition were for poſtponing the reading of it till the Friday following, which was the day after that, which they had appointed for taking into their conſideration the ſtate of the nation. They contended, that without previouſly deliberating upon the ſtate of the nation, they could not clearly judge of the expediency or danger of keeping on foot ſo great a number of land-forces. But the motion being judged embarraſſing, and tending only to the loſs of time, the 16th of March being ſo near the 25th, that it was rejected, and a proteſt was entered by nine peers.

Rejected.

Land-tax voted.

Debate upon the Heſſian troops in the Britiſh pay.

On the 3d of February the commons voted two ſhillings land-tax for the ſervices of the year, and next day a ſtrong debate happened in the houſe, about keeping the Heſſian troops and thoſe of the duke of Wolfenbottel, in the pay of Great Britain. As this affair was the ſtrongeſt point the oppoſition could go upon, their numbers made a better figure in it than uſual. They inſiſted upon it, "that if the engagements the miniſtry had entered into with France, Spain, and Holland, were good for any thing, Great Britain could have nothing to fear from all the world beſides." To this it was anſwered, "that the conduct of the emperor indicated a ſettled reſolution to diſturb the peace of all Europe, which, it was the intereſt of Great Britain to guard againſt; and that could not be done in any manner ſo ſpeedy, ſo cheap, or ſo effectual, as by retaining in her pay, the troops in queſtion." The ill impreſſions, which the keeping in the national pay, ſo large a body of foreign mercenaries, might make upon the minds of the people, as if they were intended to ſupport ſome evil deſign upon the conſtitution of the kingdom, was another argument uſed of by the oppoſition. But that objection was eaſily removed, by the conſideration of his majeſty's virtues and tenderneſs for the liberties of his ſubjects. It was added, "that it was highly indecent, and diſreſpectful to his majeſty, for gentlemen to throw out any inſinuations of that kind, without being able to bring the ſmalleſt ſhadow of proof to juſtify their apprehenſions." The decay of trade, and the increaſe of taxes,

were urged as ſtrong reaſons for eaſing the nation of all unneceſſary burthens. But it appeared, that trade had not been in ſo flouriſhing a ſtate for many years, and that to ſay, the burthen of the Heſſian troops was an unneceſſary load, was begging the queſtion; that the ſtate of affairs in Europe, and the engagements, into which his majeſty had entered, and which had been approved of by parliament, had rendered the meaſure not only neceſſary, but wiſe and frugal, ſince the keeping thoſe troops longer in the pay of Great Britain, would, in the main, be a great ſaving to the nation. It was argued farther by the oppoſition, "that his majeſty having lately diſbanded ſome of his domeſtic troops, there was the leſs reaſon for keeping foreigners in his pay; and that Great Britain was not, upon the face of treaties, obliged to furniſh the ſuccours ſtipulated, till after the commencement of hoſtilities." It was replied to this; "that the reduction of our national troops, rendered it more neceſſary to keep the Heſſians and Wolfenbottelers in our pay; as they were maintained at half the expence, for which we could ſend an equal number of our own troops to the continent; and that, were his majeſty immediately to diſmiſs them, how could he be ſure of having them again, ſhould the peace of Europe, as there was great likelihood, be immediately diſturbed; it might be then too late, and difference of expence, a trifle." The diviſion in this queſtion went for the court, by a majority of 248 againſt 169. Theſe arguments, for and againſt this meaſure, were repeated, when the lords, on the 19th of April, took into conſideration the ſtate of the nation. The lords in the oppoſition then moved, "that the maintaining 12,000 Heſſians, in the pay of Great Britain, for the year 1730, is burthenſome and unneceſſary." Upon this, a long debate followed, but a negative being put upon the queſtion, 17 peers entered a proteſt. Geo. II. 1729-30.

Penſion-bill brought into the houſe of commons.

The next, and by far the moſt popular and plauſible meaſure, which the oppoſition entered upon, in order to diſtreſs the miniſtry, was their moving, on the 16th of February, "That leave be given to bring in a bill, for making more effectual the laws in being, for diſabling perſons from being choſen members of, or ſitting and voting in, the houſe of commons, who have any penſion, during pleaſure, or for any number of years, or any offices, held in truſt for them, from the crown." This motion, which was made by Mr. S. was ſtrongly ſupported by the whole ſtrength of the oppoſition, and it muſt be acknowledged, that if we could ſuppoſe the fabric of the Engliſh conſtitution to have

Account of its contents.

Geo. II. 1729-30.

admitted of no alterations ſince its firſt erection, the reaſons for the motion taking place, would have been unanſwerable. The public are no ſtrangers to the arguments for and againſt this important queſtion. It may be juſt proper to obſerve here, that though the oppoſition always pretended to look with horror upon all compulſive oaths impoſed upon parties, tending to accuſe themſelves, as has been already ſeen in the debate againſt lending money to foreign powers, yet when it came to ſerve their own purpoſes, the following oath, to be taken by every member of the houſe, was held forth to be a wiſe and a virtuous expedient, for preſerving the independency of parliament, viz.

"I do ſolemnly and ſincerely ſwear, that I have not, directly or indirectly, any penſion during pleaſure, or for any number of years, or any office, in part, or in the whole, from the crown, held for me, or for my benefit, by any perſon whatſoever; and I do ſolemnly and ſincerely promiſe and ſwear, that I will not receive, accept or take, directly or indirectly, during the time of my being a member of this parliament, any penſion, during pleaſure, or for any number of years, or any other gratuity or reward whatſoever, or any office from the crown, to be held for me, or my benefit, in part, or in the whole thereof, by any perſon whatſoever, without ſignifying the ſame to this houſe, within fourteen days after I have received or accepted the ſame, if the parliament be then ſitting, or within fourteen days after the next meeting of parliament."

The falſifying this oath, was by the enacting clauſe, to be deemed and puniſhed as wilful and corrupt perjury; and the ſeats of all members, refuſing to take it, were to be vacated, as if they were actually dead; and 300 l. penalty was enacted, for every day a member ſhould ſit in the houſe, without taking the ſaid oath; and be incapacitated for ever after, either from ſerving the crown, or ſitting in parliament, or enjoying any place of profit or truſt, under his majeſty, or his ſucceſſors.

Debates upon it.

Such were the contents of this famous ſelf-denying bill, which has ſince been ſo often renewed, but it is not ſo eaſy to account for its purpoſes; which were pretended to be, to ſhut corruption out of parliament. They, who oppoſed the bill, however, though they expreſſed as great a deteſtation as the others did, of corruption, could not be perſuaded, that the bill, ſhould it paſs into an act, could be effectual, for that purpoſe, without violating the firſt principles of the Engliſh conſtitution. "Suppoſing, ſaid they, a member declaring, within

within fourteen days, that he has taken a penſion or gratuity from the crown, or that he has a place held for him in truſt, what, according to the tenor of the bill in queſtion, is to be the conſequence? None is expreſſed in the bill, and if the miniſter, as is alledged by the friends of the bill, has ſuch an alarming influence over the houſe of commons, as to render the bill neceſſary, they being the only judges, (for it comes before no other tribunal.) of the conſequence of ſuch a declaration, it will be eaſy for him to obtain a vote, for diſpenſing with the members holding whatever he has declared he enjoys under the crown. Thus it will be always in the power of a miniſter, not only to elude the purpoſes of the bill, but to defeat the very purpoſes of the acts now in force againſt bribery and corruption, and which this penſion, as it is called, is intended to make more effectual."

Geo. II. 1729-30.

Objections againſt it.

"But even ſuppoſing the commons to be in good earneſt to expel the member, who thus declares he holds a place or a penſion, in defiance of this act, yet ſtill, ſaid the oppoſers of the bill, this would be both highly unconſtitutional and indecent, becauſe it implies a power to be lodged in one houſe of parliament, to condemn the exerciſe of the juſt and unqueſtionable prerogative of the crown, in making a gift, which it has a power to make. This muſt be attended, ſaid they, with moſt unconſtitutional conſequences, as the houſe of commons would then take upon themſelves to ſit as an inquiſition, upon the proceedings and prerogative of the crown; by which, as in the laſt century, the crown itſelf may tumble from the head of the ſovereign."

"The pernicious conſequences of the bill, added the enemies of it, did not even ſtop here. The member is obliged to ſwear, that he ſhall not, directly or indirectly, accept of any penſion, gratuity or reward, or any place, in truſt, from the crown. Now, may not the ſevere conſtruction of the word *indirectly*, by a future captious houſe of commons, make a member liable to the penalties of the bill, if the crown ſhould think fit to extend its favours to the children, wife, or relations of a member. Though the bill ſeems to leave the houſe open to many great officers and place-men, who are not diſqualified by it, yet who can ſay, that the houſe may not, ſome time or another, apply the word *indirectly* to a member accepting a place or office, that does not diſqualify him, according to the ſeeming purport and meaning of the bill. Add to this, that the exerciſe of any part of the prerogative, even the moſt ſalutary and neceſſary part of it, ſuch as granting pardon for offences; the remit-

Geo. II. 1729-30. ing fines and forfeitures, the receiving grants, patents, and the like, may, ſome time or other, be conſtrued into an indirect influence. The crown has ſufficient powers, which it can avow, and which are in no degree affected by the bill, to create as much influence in the houſe of commons, as a miniſter may have occaſion to employ; and unleſs all great offices and places, as well as penſions, become diſqualifications, the purpoſes of the bill never can be anſwered."

Upon the whole, therefore, the queſtion upon this bill had no regard nor relation to corruption; the oppoſers of it expreſſed themſelves as willing, as the friends of it were, in going all lengths to puniſh corruption, but the objection was, "that it was inconſiſtent with the laws and ſpirit of the Engliſh conſtitution, that the king and the peers ſhould give their aſſent to a bill, which inveſted the commons with powers, which, ſhould they be, as in former times, miſapplied, rendered them paramount to the other two branches of the legiſlature, and extended their judicial capacity to matters, of which they could not conſtitutionally take cognizance."

Thoſe arguments againſt the form and manner of the bill, though unanſwerable, were unregarded. The cry of corruption ſtruck an awe into many, who were in their hearts againſt the bill, and many more fell in with the ſtream of popularity, and voted for it, becauſe they thought it would be rejected by the houſe of peers. This, it is more than probable, was the opinion of the miniſter himſelf, for though the bill was oppoſed by ſome of his friends who had very little either to hope or to fear from popularity, yet, it is certain, he did not exert himſelf to have it thrown out; for the queſtion was carried in favour of the bill, by a majority of 144 againſt 134; and Mr. Sandys, ſir Edward Stanley, and Mr. Windham, were ordered to bring it in. After this, it had an eaſy paſſage through the commons.

It is carried in the houſe of commons.

Diviſion.

Rejected in the houſe of lords.

When it came to the upper houſe, the lords, previous to conſidering it, were moved by the friends of the bill, to addreſs the king, for a liſt of all penſions, payable by him. This motion was thrown out upon the previous queſtion, though it was ſaid, that there was no precedent of the crown having denied a liſt of penſions when called for, by either houſe of parliament. But this obſervation had very little weight, as the main queſtion had not been put. Beſides, it was thought, that when no particular charge was brought againſt any of the miniſtry for abuſing the public money, it was unparliamentary for a houſe of peers to enter upon any

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diſquiſition upon money-affairs, which might break the good underſtanding that ſubſiſted between the two houſes. Geo. II. 1729-30

On the 21ſt of March the penſion-bill was read in the houſe of lords, and the queſtion was put, whether it ſhould be committed, which paſſed in the negative, after long debate; upon which, a proteſt was entered by 26 peers. Another queſtion was then put, that the bill ſhould be rejected, which being carried in the affirmative, produced a proteſt, that was adhered to by 26 peers. Proteſt there.

The above being a fair and impartial repreſentation of the moſt diſputed points that happened between the oppoſition and the miniſtry this ſeſſion of parliament, it cannot be expected we ſhould enter upon a detail of the more minute queſtions and acts that then paſſed, though many of them, under a more popular miniſtry, muſt have met with general applauſe. Some of them, however, being of national importance, we cannot omit, before we cloſe the proceedings of this ſeſſion.

The oppoſition had been long impreſſed with a notion, that the miniſter was in a ſecret compact with the court of France, to ſuffer that king to repair the harbour of Dunkirk. They knew, that nothing would more exaſperate the nation, than the ſuffering that harbour to be repaired, if it could be proved, and that the ſuſpicion of conniving at it, would fall upon the Engliſh miniſtry. An addreſs, therefore, was voted, "that the king ſhould direct, that the orders, inſtruction, reports, and all proceedings, had, in regard to the port and harbour of Dunkirk," ſince the demolition of Dunkirk ſhould be laid before the houſe. His majeſty, February the 12th, agreed to this addreſs. Motion and debate about Dunkirk.

This abſurd motion was made upon the information and at the inſtigation of lord Bolingbroke, an inveterate enemy to the miniſter, who pretended, that he could bring evidence of the flouriſhing ſtate of the fortifications of the harbour of Dunkirk. But having truſted the management of the affair to a perſon, who had ſerved him in the capacity of a ſecretary, without any abilities, but thoſe of the bacchanalian kind, this important diſcovery came to nothing; and the motion, ſo far from being detrimental to the miniſter, produced the following reſolution.

"That an humble addreſs be preſented to his majeſty, to return him the thanks of this houſe, for his majeſty's early care and attention for the intereſt of this nation, in cauſing proper application to be made to the court of France, not only for putting a ſtop to the works carrying on, but for Addreſs from the commons.

Geo. II. 1729-30. demoliſhing ſuch as had been made by the inhabitants of Dunkirk, for repairing the port and channel there; and to expreſs our ſatisfaction in the good effects which his majeſty's inſtances have had, by obtaining expreſs orders from the moſt Chriſtian king for cauſing to be deſtroyed all the works that may have been erected at Dunkirk, contrary to the treaties of Utrecht and Hague, and our reliance upon their being punctually executed; and further to declare our ſatisfaction in the firm union and mutual fidelity which ſo happily ſubſiſt, and are ſo ſtrictly preſerved between the two crowns."

Petitions againſt the Eaſt-India trade.

The next great object of national concern that came before the parliament this ſeſſion, was an attempt to throw open the Eaſt-India trade. The term of that company's charter was now near being expired, and ſeveral merchants and others wanted to be incorporated and veſted in the ſame trade; but without the excluſive privileges granted to the Eaſt-India company; their ſcheme being to grant to all ſubjects indiſcriminately licences to trade to the Eaſt-Indies, upon their paying to them a proper conſideration for the ſame. On the 9th of April, a petition was preſented to the houſe of commons by ſeveral merchants, traders, and others, againſt confining the Eaſt-India trade to the Eaſt-India company only; and for obliging the company to grant licences upon proper terms and conditions, to ſuch of his majeſty's ſubjects, as ſhall deſire to trade to the Eaſt-Indies; and praying to be heard thereto before the bill do paſs, now depending in the houſe; by which the company's excluſive trade to the Eaſt-Indies is to be prolonged.

As this petition was not only of an intereſting, but of a national, nature, it greatly engaged the attention of the houſe. The miniſter, who had great connections with the Eaſt-India company, had been at vaſt pains to inform himſelf of the nature of the trade, and was, from the beſt accounts he could receive, convinced, that it could be carried on only by an excluſive charter. The petitioners were not in the ſecret of the trade; and if the preſent company could not be prevailed upon to communicate their lights, it muſt be loſt to the nation. The forts and ſettlements in the country, were the property of the ſubſiſting company; and it was thought, that it would be impoſſible to carry it on upon any other footing than the preſent. The petitioners, indeed, offered to redeem the fund and trade of the preſent Eaſt-India company, which amounted to the ſum of 3,200,000l. to be paid at five different payments, between March 25, 1733, to March 25, 1735; and they propoſed not to trade

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with a joint ſtock, or in a corporate capacity, but to keep the trade open to all the ſubjects of Great Britain, upon licenſe from ſuch propoſed new company, to be granted to all his majeſty's ſubjects, deſiring the ſame upon proper terms and conditions. But this petition, though ſtrongly recommended by alderman Barnard, and other eminent merchants, was rejected; as were two others to the ſame purpoſe the ſame day; one from the city of Briſtol, the other from the port of Liverpool. Inſtead of that, the company's excluſive trade to the Eaſt-Indies was prolonged to the year 1766, upon condition of their paying into the exchequer the ſum of 200,000 l. towards the ſupply for the year 1730; without any intereſt or addition to their capital ſtock, or debt for the ſame. The company likewiſe conſented to reduce the money paid annually to the public from 160,000 l. to 128,000 l. and that after the year 1766, their excluſive trade to the Eaſt-Indies ſhould be liable to ceaſe, and determine upon their being repaid their capital of 3,200,000 l. after receiving three years notice for the ſame [a]. Geo. II. 1729-30.

Five hundred and fifty thouſand pounds were this year raiſed by exchequer bills. To the navy was allowed 853,786 l. To the hoſpital of Greenwich, 10,000 l. To the office of ordnance, 94,000 l. For the land forces of Great Britain, Guernſey and Jerſey, 651,484 l. For the garriſons and proviſions in the plantations, Minorca, and Gibraltar, 160,235 l. For 12,000 Heſſians, 241,259 l. Towards making good the deficiency of the grants for 1729, 115,446 l. To half-pay offi- Other bills that paſſed this ſeſſion.

[a] That the reader may be enabled to form ſome idea of the importance of this trade, we ſhall here preſent him with a paper laid by the company before parliament on this occaſion, entitled, An account, ſhowing the amount of the value of the goods, merchandize, and bullion, exported by the Eaſt-India company from the port of London from Chriſtmas 1720, to Chriſtmas 1727; and of the goods and merchandize imported by the ſaid company into the ſaid port, from Chriſtmas 1722, to Chriſtmas 1729, diſtinguiſhing each year.

Exported.						Imported.					
From Chriſtmas		To Chriſtmas	l.	s.	d.	From Chriſtmas		To Chriſtmas	l.	s.	d.
1720		1721	740,643	17	10	1722		1723	968,570	14	6
1721		1722	805,954	7	9	1723		1724	1,165,203	1	4
1722		1723	689,462	18	10	1724		1725	759,778	12	3
1723		1724	553,396	14	3	1725		1726	914,122	13	7
1724		1725	658,221	2	1	1726		1727	1,125,829	14	4
1725		1726	547,757	7	9	1727		1728	869,474	16	9
1726		1727	641,148	2	11	1728		1729	972,033	16	11

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Geo. II. 1729-30.

cers, 64,000 l. To out-penſioners of Chelſea hoſpital, 23,452. Towards maintaining the forts of the African company, 10,000 l. For extraordinary ſervices not provided for by parliament, 28,780 l. For a year's ſubſidy due to the duke of Wolfembuttle, 2,500 l. For officers widows, 1,500 l. For purchaſing a reverſion of Dougal Cuthbert in the Fleet priſon, 2,500 l.

Salt tax reduced.

The ſaving occaſioned by the reduction of the annuity payable to the Eaſt-India company, was charged to the aggregate fund; and his majeſty having, in his ſpeech, hinted a poſſibility of eaſing the people, by taking off ſome of the duties, it fell under the conſideration of the parliament how that could be beſt effected. As the poorer people was the object of his majeſty's ſpeech, the taxes that lay heavieſt upon them were thought of; and theſe were the duties upon ſalt, with thoſe upon ſoap and candles. The latter was indeed the moſt preſſing, but the other the moſt univerſal, and the moſt ſenſibly affected the ſet of ſubjects for whom the relief was intended. It was therefore reſolved to reduce the whole ſalt duties, by which a vaſtly chargeable office to the public was ſuppreſſed; the duties upon ſoap and candles being collected by the officers of the exciſe, without any additional charge to the ſubject. An act of parliament for that purpoſe accordingly paſſed.

Juries regulated.

This ſeſſion, a moſt excellent act paſt for the better regulation of juries. Before this time, it was a reproach to the Engliſh law, that no proviſion was made to oblige men of ſubſtance effectually to ſerve as jurymen; for which reaſon it was very common for men of property to ſhift that office off from themſelves upon indigent people; which opened an eaſy way for corruption in the moſt capital caſes. But this act remedies all thoſe inconveniencies [b].

Another

[b] There having been many great and notorious corruptions in the trials and cauſes in courts of juſtice, for want of proper perſons to ſerve upon juries; ariſing ſometimes from the neglect of perſons of good ſubſtance and credit, who ſhifting off from themſelves the trouble of attending at thoſe courts to ſerve as jurymen, made it neceſſary often to make uſe of indigent men for that ſervice, who were eaſy to be drawn in to ſerve an ill cauſe; and ſometimes from the practice of knaviſh lawyers, who would often find means to pack a jury by concert, with thoſe who were concerned in returning perſons for that ſervice: The parliament made this act to remedy thoſe inconveniencies, as well as ſome others of leſs conſequence, that attended the antient manner of ſummoning and returning juries. By this act, the petty conſtables

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Another act paſſed this ſeſſion, which was greatly in favour of the ſubject. It was an act for explaining and amending an act made in the laſt ſeſſion of parliament, entituled, An Act for the Relief of Debtors with reſpect to the impriſonment of their Perſons. By this act, debtors might be carried to the neareſt great aſſize, in order to be cleared; but as the law ſtood before, they were obliged, in however diſtant county they were, to be brought up to Weſtminſter Hall to be cleared. And whereas officers were, by the former act, reſtrained from carrying perſons arreſted to priſon within 24 hours after

Geo. II. 1729-30.

are required to make up true liſts of the perſons qualified to ſerve on juries within their pariſhes or precincts; and that no man may be inſerted therein who is not qualified, thoſe liſts are to be fixed on the church door, two or more Sundays, twenty days before Michaelmas every year; ſo that all perſons knowing who are to ſerve for that year within their neighbourhood, may make any objections they think proper. To prevent needy perſons from ſerving upon theſe occaſions, the qualification neceſſary for a juryman is, to be a freeholder or a copyholder, of at leaſt 10l. per ann. in England, and 6l. in Wales, or a leaſeholder for life, of the yearly value of 20l. Theſe liſts being tranſmitted to the ſheriff, he is reſtrained to return no others upon juries but whoſe names are found there: and leſt the under ſheriffs, or the like officers, ſhould endeavour to make money by ſummoning perſons to ſerve on juries, oftener than is reaſonable, in hopes of receiving a fee to excuſe them; it is ordered, that no perſon be obliged to ſerve oftener than once in two years, except in the ſmall county of Rutland. When the aſſize is held, the name of each perſon ſummoned and impanneled, is to be written, with his addition and place of abode, in diſtinct pieces of parchment or paper, rolled up in the ſame manner as like each other as may be; which names are to be put into a box or glaſs; and when a cauſe is brought to be tried, ſome indifferent perſon in open court, is to take out twelve of theſe parchments or papers one after another; and if any of theſe perſons drawn do not appear, or is challenged or ſet aſide, then a further number, till twelve be drawn, who ſhall appear, and ſhall be the jury to try the cauſe. After which, thoſe names are to be mixed again with the other, and a new jury is to be appointed for the next cauſe in the ſame manner. From this inſtitution, two benefits ariſe; for, it becomes impoſſible to pack or corrupt a jury; becauſe no man knows who will try the cauſe, till the moment the jurymen are ſworn; and the freeholders, &c. will be obliged to attendance, becauſe none can tell whether his name will not be amongſt thoſe that are drawn out: in which caſe, if the perſon does not appear, after three times calling, he is liable to a fine between 40s. and 5l. at the diſcretion of the judge.

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Geo. II. 1729-30. the arreſt; which ſeveral perſons taking the advantage of, and by refuſing to be carried to any houſe whatſoever, had made their eſcapes from them in the night: it is now ordered, that ſuch arreſted perſons ſhall be carried to ſome houſe, but the choice of the houſe is left to them, to prevent their being hurried to ſpunging-houſes and ſuch like places.

Prohibition upon rice taken off.

Another act was paſſed this ſeſſion, for granting liberty to carry rice from his majeſty's province of Carolina in America, directly to any part of Europe ſouthward of cape Fineſter, in ſhips built in, and belonging to, Great Britain, and navigated according to law.

By this act, a general principle that had been eſtabliſhed by all the nations in Europe, who had dominions in America, was broken into. It had been a maxim with all countries, and England amongſt others, to preſerve all intercourſe with their plantations entire to the inhabitants of their mother country; by which incredible advantages accrued to them in commerce and navigation. For this reaſon, no commodities were to be exported from the Engliſh plantations, but in ſhips that firſt touched at England. Rice, however, being a periſhable commodity, this act exempted it from that rule; provided the ſhip that carried it was built in, and belonged to, Great Britain, and was navigated by Britiſh ſailors.

Profligacy of the common people at this time.

It muſt be acknowledged, that at this time too great a remiſſneſs of government prevailed in England. Peace, both at home and abroad, continued to be the great object of the miniſter. Great proſperity in commerce introduced luxury in living; luxury created neceſſities, and theſe drove the lower ranks of people into the moſt abandoned wickedneſs. The good-nature of the miniſter, which was averſe to all penal and ſanguinary meaſures, kept him from giving that encouragement to the ordinary magiſtrates, that could enable them to give an effectual check to vice in the lower rank of people, which had a moſt pernicious effect upon the higher: in ſhort, an univerſal degeneracy at this time prevailed. It was unſafe to travel the roads, or to walk the ſtreets; nor durſt the civil officers oftentimes dare either to repell the violences, or to puniſh the crimes that were committed. A ſpecies of villains, this year, ſtarted up, unknown to former times, who made it their practice to write letters to men of ſubſtance, threatning to fire their houſes, in caſe their demands were not complied with; and ſometimes upon non-compliance they put their threats into execution.

Libels upon the government.

An higher ſort of ruffians were employed to libel the moſt beneficent acts of government, by men whoſe rank in the world,

world, cannot ſuffer us to imagine they had any deſign againſt the peace of their country; though undoubtedly they envied the power of the miniſter. He, on the other hand, had ſuch prepoſſeſſions to ſtruggle with, that nothing offered by his friends had either a fair, or a decent, hearing. Geo. II. 1729-30.

His majeſty was ſo ſenſible of all this, that on the 15th of May, when he came to put an end to the ſeſſion of parliament, he pronounced the following remarkable words. "My "lords and gentlemen, I am very glad that, for the general "ſatisfaction, you entered into a particular conſideration of "the ſtate of this nation; and it is a great happineſs to ſee, "after ſo many unjuſt and unreaſonable clamours raiſed "with all poſſible art, induſtry, and malice, that upon ma- "ture deliberation, and the moſt ſolemn debates, you were "ſo far from finding any thing worthy of blame or cenſure, "that all matters that came under your cenſure, met with "your approbation. End of the ſeſſion of parliament.

"This muſt give all mankind a juſt deteſtation of thoſe "incendiaries who, from a ſpirit of envy and diſcontent, "continually labour, by ſcandalous libels, to alienate the "affections of my people, and to fill their minds with ground- "leſs jealouſies and unjuſt complaints, in diſhonour of me "and my government, and in defiance of the ſenſe of both "houſes of parliament.

"But I muſt rely upon your prudence and your concern "for the peace and happineſs of your country, to diſcoun- "tenance all ſuch ſeditious practices; and to make my people "ſenſible, that theſe wicked proceedings have no other view "or end, but to create confuſion and diſtraction amongſt us." The parliament was then prorogued to the 14th day of the enſuing July.

The parliament of Ireland continued, under the lord Carteret, their unwearied labours for the public ſervice. Their hempen and flaxen manufactures, the internal quiet of their country; the taxing of places and penſions, and many other acts of public utility, went on with great unanimity; and the debt of the nation, when enquired into, was no more than 220,730l. at Lady-day 1729. Propoſals for making ſilver more plentiful were encouraged; and they imitated the parliament of England in enquiring into the ſtates of their jails, and ſeverely puniſhing thoſe jailors who had miſbehaved in their office. In ſhort, no branch of public buſineſs was neglected or unprovided for; and effectual care was taken to check the pernicious practice of ſmugling. They even had the courage to enquire into the practices of Proceedings of the Iriſh parliament.

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Geo. II. 1730. ſome eminent juſtices of the peace and aldermen of Dublin, whom they committed to priſon for executing their offices in many inſtances with the utmoſt irregularity, oppreſſion, and extortion.

Affairs of Muſcovy. The year 1730 was diſtinguiſhed by ſome very remarkable foreign events, which had conſiderable conſequences in the political ſyſtem of Europe. The young czar Peter of Muſcovy, when upon the point of being married to the princeſs Dolorucki, died of the ſmall-pox; and he was ſucceeded in his throne by the ducheſs dowager of Courland, who was daughter to czar Ivan, eldeſt brother to czar Peter the Great. The nobility of Ruſſia, however, though born ſlaves, had experienced too much the effects of an arbitrary government not to deſire to taſte ſome of the ſweets of that freedom, which ſeveral other parts of Europe boaſted of. They therefore obliged the new czarina to ſign an inſtrument, by which ſhe, in fact, ſhared the ſovereign authority with her privy council, and reſigned the moſt eſſential branches of arbitrary power. This ſcheme might have been ſucceſsful, had it not been for the unpopularity of the Dolorucki family, who had abuſed their power in the late reign, and had chiefly promoted the intended alteration of government. For, after the czarina had ſigned the articles by which ſhe parted with her power, ſhe found means to get the privy council together in her own palace, where ſhe ſurrounded them with her guards, and obliged them to give up the paper ſhe had ſigned, and which was inſtantly torn in pieces. She afterwards ſent all the Dolorucki family into baniſhment.

Affairs of the North. Things remained quiet in the other kingdoms of the north. The new king of Denmark began his reign, by making ſome repriſals upon the Queen dowager, contrary to the laſt commands of his father. The prince royal of Pruſſia, upon attempting to make an eſcape from his father, was brought back, and confined with ſome circumſtances of ſeverity, to Cuſtrin: the emperor interceded for him to his father; who, upon the prince's ſubmiſſion, forgave him; but ordered his favourite, Katt, a lieutenant of the Gens d'armes, to be beheaded.

King of Sardinia abdicates. But the moſt remarkable foreign tranſaction this year, was the abdication of Victor Amadeus, the ſecond king of Sardinia, after a buſy and, for the moſt part, a glorious, reign of 50 years. This ſtep was owing to his falling in love, in the 64th year of his age, with the counteſs dowager of St. Sebaſtian, whom he married in her retirement. The new king, Charles Emanuel, prince of Piedmont, eldeſt ſon to the

the late king, immediately mounted the throne, and notified his acceſſion to all the powers of Europe; but he was ſurprized very ſoon after, to receive from his father, an application, to be re-admitted to his ſovereignty; but, the young king not only deſired to be excuſed, but found himſelf under an indiſpenſable neceſſity of putting the king his father, and the counteſs his mother-in-law, under an arreſt. Geo. II. 1730.

Affairs of France.

Nothing but the profound veneration the French have for the perſon of their ſovereign, could have prevented a civil war from breaking out in that country. Cardinal Fleury, who was himſelf a tool of the pope and the jeſuits, had got Lewis XV. to conſent to force his ſubjects to accept of the conſtitution Unigenitus. This divided the whole kingdom into conſtitutioniſts and anticonſtitutioniſts. The former conſiſted of the king, the cardinal, ſome bigotted prieſts, proſtituted courtiers; and the latter, of all the parliaments and men of ſenſe in the kingdom. The regal power, however, weighed down all conſiderations, and the birth of the duke of Anjou, ſecond ſon to the king of France, happening when the diſpute was at the higheſt, that nation loſt their reſentment in their congratulations.

Spain.

In Spain, the preparations for carrying the treaty of Seville into execution, at firſt made a very formidable appearance, but about the end of September, the expedition was, for that year, laid aſide. The demands of England in favour of their American commerce, were ſo ill reliſhed by the court of Madrid, that it ſuſpended, for this time, the execution of the treaty of Seville, though our court had ſuffered their rich flotilla, on which they wholly depended, to arrive ſafe from Vera Cruz at Cadiz, in the month of Auguſt. As it is well known, that both the French, the Dutch, and the Engliſh, had a large property in the flotilla, the merchants and embaſſadors of thoſe powers, made ſtrong inſtances for their ſeveral effects being delivered. But, all was to no purpoſe. The court of Madrid dreaded a coalition between the courts of London and Vienna, which was then on foot, and it was encouraged in its obſtinacy by the pacific ſentiments of the Engliſh miniſtry. To make the greater impreſſion upon their minds, the Spaniards at Gibraltar, about the time they refuſed delivering up the effects of the flotilla, formed a trench with angles from ſea to ſea in a line with their guard huts. The weſtermoſt end of the ſame trench or wall, terminated in a fort, which commanded great part of the bay.

the Dutch.

Italy.

In Italy, pope Benedict the XIIIth died, and was ſucceeded by cardinal Corſini, who aſſumed the name of Clement the

Death of the pope, and a new election.

Geo. II. 1730. the XIIth. He began his pontificate with aboliſhing ſeveral impoſitions and taxes, eſtabliſhed by his predeceſſor, and his rapacious miniſter cardinal Coſcia, who, with the miniſters of his extortion, was now brought to a ſevere account. This year, the inhabitants of Corſica, galled by the yoke of their mercileſs ſovereigns, the Genoeſe, roſe in arms, and publiſhed a manifeſto, importing, "that all their intention in ſo doing, was, to aſſert the liberties and privileges of their country."

Revolution in Conſtantinople.

The earl of Kinnoul being ſent ambaſſador to Conſtantinople, met there with a very diſtinguiſhed reception from the Grand Signior and the Vizier; but during his abode there, a moſt ſurprizing revolution happened in the government. One Patrona Alli, a mean fellow, took the opportunity of the Grand Signior's abſence with his army, which was encamped at Scutari, to diſplay a flag, which at firſt brought him no more than fifty followers, but next day about ſix hundred, but no man of conſequence amongſt them. This confluence was at firſt diſregarded by the Grand Seignior, but hearing from the rebels, on the 30th of September, that they were increaſed to the number of two thouſand, he reſolved to return to Conſtantinople. There he found the inſurgents had been joined by all the Janiſſaries, who had been left in that capital, and that they now declared their intention of having the heads of the prime Vizier, the Reis Effendis, and the captain Baſſa. The Grand Signior, being

The Grand Signior depoſed.

rouſed from indolence into cowardice, paſſed from thence into cruelty, and complied with their requeſts, ſtrangled his three miniſters, and ſent their bodies to the mutineers, who threw them to the dogs. This compliance ſerved only to increaſe their inſolence. They ſeized the public magazines of arms, and the army, which, by this time, was come over from Scutari, to ſuppreſs them, gave them double force, by the numbers who joined them. It is wonderful, conſidering the deſperate nature of their undertaking, and without any man of rank or authority at their head, with what moderation and diſcipline they proceeded. Even when they came to the laſt ſcene, that of depoſing the Grand Signior himſelf, it was done by a formal meſſage ſent to him from the inſurgents, deſiring him to reſign the diadem to his nephew Mahomet, whom he had kept in priſon 6 years. The puſillanimous prince obeyed their requeſt in the moſt literal ſenſe, and retired to the very priſon where he had confined his nephew.

Death of the landgrave of Heſſe.

This year, the king of Sweden became landgrave of Heſſe Caſſel, by the death of his father; an event, very favourable

to

to England and the contracting parties in Vienna and Seville. Geo. II. 1730.

The power of the miniſter and his family, was ſo far from being diminiſhed, by the outcry raiſed againſt his adminiſtration, that his friends every day ſucceeded to the great honours and places that were vacant in England. His brother Horatio Walpole, was made cofferer of the houſhold, in the room of the late earl of Clinton; Mr. Pelham was appointed pay-maſter of the forces, in the room of Spencer Compton, now lord Wilmington, who was made keeper of the privy-ſeal, in the room of the lord Trevor, preferred to be lord preſident of the council. Lord Hervey was appointed vice chamberlain of the houſhold, and ſworn into the privy council. Sir Conyers D'arcy was made comptroller of the houſhold, in the room of the earl of Winchelſea, who reſigned. The duke of Dorſet ſucceeded lord Carteret, as lord-lieutenant of Ireland. The famous lord Torrington was at the head of the admiralty, and the earl of Weſtmorland was firſt commiſſioner of trade and plantations, and the earl of Cheſterfield was made lord ſteward of his majeſty's houſhold. All the offices of leſs importance, either in the court or the government, or army, went in the ſame channel. Such a flow of favours, heaped on one man, could not but diſguſt ſome old ſervants of the crown, who thought their merits were overlooked, or at leaſt, eclipſed. Amongſt theſe was Charles, lord Townſhend, a nobleman of great zeal and activity for the Proteſtant acceſſion. He was a favourite with the late king, and eſteemed one of the heads of the whig-party. His acknowledged merit rendered his reſigning the ſeals, which he did in the month of May this year, very diſagreeable to many of his majeſty's friends; and though no open breach had been declared between him and the miniſter, yet it was thought by the public, he was laid under a kind of neceſſity to take that ſtep. With the ſeals he alſo reſigned the lord-lieutenancy of the county of Norfolk, which was given to his ſon, as was alſo the place of maſter of the jewel office. His lordſhip, during the late and the preſent reign, was conſidered as the chief conductor of foreign affairs, and the miniſter's enemies conſidered his reſignation as being a prelude to a total alteration in the miniſtry.

Domeſtic promotions and alterations.

Lord Townſhend reſigns.

But they were deceived, for he was ſucceeded in the ſeals, by William Stanhope, lord Harrington, whoſe experience in foreign affairs, rendered the reſignation of lord Townſhend the leſs alarming, either to the public or the miniſter.

Geo. II. 1730. Such was the ſtate of Europe, of the government, and of the court of England, when the parliament met on the 21ſt of January 1731. The emperor's obſtinacy ſeemed now to threaten a war. He and his miniſters continued to exclaim againſt the treaty of Seville, and he had given orders for marching a large body of troops into Italy, to oppoſe the introduction of Spaniſh garriſons, ſtipulated by that treaty. The king hinted at this in his ſpeech, at the opening of the ſeſſion, and almoſt the whole of his ſpeech conſiſted of earneſt exhortations to his parliament, to enable him to be ready to carry the treaty into execution by arms, if force ſhould be found neceſſary.

The parliament meets.

Debates upon the addreſs,

When the commons returned to the houſe, Mr. Cambel of Pembrokeſhire, moved for a very loyal addreſs, in anſwer to the ſpeech; but the party in the oppoſition moved, to leave out all the complimentary part of it, and only promiſe to concur with ſuch means, as ſhall be abſolutely neceſſary to procure the ſatisfaction due to our allies, and provide for the intereſts of the people, and then to inſert the following words; "aſſuring ourſelves, that his majeſty will take effectual care to prevent the breaking out of war upon the Rhine, or in the Auſtrian Netherlands, the preſervation of which, in the hands they now are, is of the greateſt importance to theſe kingdoms, and the maintenance whereof has coſt this nation ſo much blood and treaſure."

In ſupport of this motion, the chief ſpeakers for it, who were, ſir William Windham, Mr. Daniel and Mr. William Pulteney, had the great advantage of having on their ſide, all the popular topics, which experience, ſince that time, has evinced, in ſome caſes, to have been meer ſounds; and yet ſo ſtrongly were the courtiers prepoſſeſſed by them, that they durſt not diſpute them. The power of France was repreſented as threatening the liberties, both of England and of Europe; evidence was again offered to be produced, of their having cleared and repaired the harbour of Dunkirk, contrary to the treaty of Utrecht. Great complaints were made of their encroachments upon us in the Weſt Indies, and all was aſcribed to the pernicious connections we had lately run into with them. It was farther repreſented, that, for England to join with France in any attempt againſt the emperor, either in Flanders, or upon the Rhine, would be acting againſt the moſt eſtabliſhed maxims of the late glorious confederacy, that had humbled the power of France, under the duke of Marlborough; and that it would undo that balance of power, which had been ſo happily

in the houſe of commons.

happily eſtabliſhed, and had been the chief acquiſition that England or Europe had obtained by that confederacy. Somewhat likewiſe was ſaid againſt the danger and inexpediency of the houſe promiſing indiſcriminately the firſt day of the ſeſſion, to ſupport all his majeſty's meaſures and engagements, before they knew what they were; and that, in fact, ſuch an aſſurance rendered all their future deliberations for that ſeſſion, uſeleſs and inconſiſtent. Geo. II. 1730.

Sir Robert Walpole and his brother, lord Hervey, ſir William Young, and others, found themſelves a little preſſed by thoſe arguments; as they were declared whigs, they could with no conſiſtency deny, that it would be very dangerous for public liberty, ſhould England co-operate with the French upon the Rhine, or in Flanders, againſt the emperor, and yet nothing could be more plain, than that the amendment propoſed, was impolitic in itſelf, and diſreſpectful to his majeſty.

In the courſe of the debate, they did not diſſemble their difficulties on this head, but obſerved, "that if the amendment was agreed to, it would have the worſt of conſequences, both at home and abroad, as if his majeſty had intended any thing but what was abſolutely neceſſary for the intereſt of England, and ſtrictly agreeable to the principles of public liberty. Such an inſinuation could only diſcourage the friends of the Proteſtant ſucceſſion at home, and animate their enemies abroad, and therefore they ought to truſt to his majeſty's wonted prudence; and that the putting ſuch words in the addreſs, would look like an encroachment upon the prerogative of the crown, and directing the operations of the future war." To this it was anſwered, "ſuppoſing the French ſhould be ſucceſsful in making acquiſitions from the emperor in Flanders, or upon the Rhine, how was it poſſible, for his majeſty, with all the power the parliament could furniſh him, to prevent the dreadful conſequences that muſt enſue?"

Lord Hervey, eldeſt ſon to the earl of Briſtol, began at this time to make a very conſiderable figure in the miniſterial party, and hiſtory ought to repair the injury that poetry has done to ſome part of his character. He had read a good deal, and was, what may be called, a learned nobleman, though he ſcarce could have been deemed ſo in a literary ſphere of life. He was not without wit, but he was a much better writer than a ſpeaker; his manner was too ſlow; and he was apt to flag at the latter part of his period. He affected a gravity and ſolemnity, which ill-ſuiting ſo delicate a figure as he had, was not at all pleaſing. Notwithſtanding Character of lord Hervey.

Geo. II. 1730. ſtanding this, he was maſter of a very ſound judgment, and when he pleaſed to employ it, a moſt excellent pen in the political way.

In the debate now before us, he obſerved, "that the houſe of Auſtria, as well as the houſe of Bourbon, might, by its ambition, deſtroy that balance of power, which was ſo juſtly dear to England; that as the conduct of the French court upon the continent of Europe, could give no juſt umbrage, the pulling down the houſe of Bourbon, only to enable the houſe of Auſtria to play the game in which the other had miſcarried, was highly abſurd; and that, in fact, he did not doubt, but that his majeſty had intereſt enough with his allies, to concert meaſures that ſhould prevent all the bad conſequences, which gentlemen ſeemed greatly to apprehend. In the mean while, to agree to the propoſed alteration, would be making proclamation to all Europe, that the emperor might do as he pleaſed, ſince he was invulnerable at preſent in Italy, by the ſituation of his dominions, and the great number of troops he had there; if therefore, the allies ſhould agree, that he was not to be attacked on the Rhine, or in the Netherlands, his majeſty and his allies had nothing to do, but to take the law from the court of Vienna."

The houſe ſeeming inclined to reject the propoſed alteration, another gentleman propoſed to inſert in the addreſs, "that they would ſupport his majeſty's engagements, in ſo far as they related to the intereſt of Great Britain;" and he grounded the alteration upon the words of the act of ſettlement, by which it provided, "that this nation ſhall not be obliged to enter into a war for the defence of any dominion, not belonging to the crown of Great Britain." But this amendment being ſubject to the very ſame, or greater, objections, in point of decency and policy, as the laſt; and the houſe not appearing to be of opinion, that they tied themſelves down by the words of an addreſs, both amendments were rejected, and the addreſs, as moved for, was voted without any diviſion.

Addreſs of the peers.

In the houſe of peers, an amendment, in almoſt the ſame words, was offered by the lord Carteret, who now ſtruck in with the oppoſition, but it was overruled upon the ſame principles, as that in the houſe of commons. The chief ſpeakers againſt the amendment were, the dukes of Newcaſtle and Argyle.

Notwithſtanding the oppoſition the addreſs had met with in the houſe of commons, they were unanimous in reſolving, that a ſupply be granted to his majeſty.

The

The oppoſition, during the receſs of parliament, having perceived a great ferment in the nation, upon the rejection of the penſion-bill, reſolved to repeat the experiment this ſeſſion. The motion was introduced with great ſolemnity, and after paſſing with very little oppoſition thro' the houſe of commons, was ſent to the houſe of peers, where it was thrown out. The then biſhop of Bangor deſpiſing popular prejudices, and founding his ſpeech upon the true principles of reaſon and the Engliſh conſtitution, had the courage to ſtrip the motion of its maſque of popularity, and expoſe its bad tendency to the view of the houſe. His ſpeech had the following cloſe, which is ſo remarkable, that it ought to be tranſmitted by hiſtory. Geo. II. 1730.

Renewal of the penſion-bill; thrown out in the houſe of peers.

"Though this bill at firſt ſight ſeems to be a ſelf-denying bill, and to ſome particular members, may, perhaps, prove ſo, yet the commons, conſidered as an houſe of parliament, will find in it, no doubt, a very great enlargement of power; and whatever tends to break the balance between the powers, eſſential to this conſtitution, muſt, ſooner or later, prove the ruin of the whole. An independent houſe of commons, or an independent houſe of lords, is as inconſiſtent with our conſtitution, as an independent, that is, abſolute king. And whoever loves the liberties and laws of his country, will no more deſire to ſee the one than the other. Let bribery be puniſhed. Let corruption be puniſhed; but not by giving ſo much ſtrength to one power of this conſtitution, as ſhall make it able to overbear the reſt." Cloſe of the biſhop of Bangor's ſpeech.

It is certain, that the reverend prelate conſulted the lights of his own underſtanding, experience, and reading, more than he did, the miſtaken, but general ſentiments of the public, who took hold of his pleading againſt the independency of the two houſes upon the crown, as if he meant that they ought to be dependent upon the miniſter. But it is plain from the whole of his ſpeech, that he meant no more by the word independency, than that relation which the conſtitution preſcribes to exiſt amongſt all the conſtituent parts of the legiſlature, and which, if diſſolved, the ruin of all muſt be the conſequence, becauſe it never could be diſſolved, unleſs one houſe ſhould arrogate to itſelf, powers inconſiſtent, not only with the general plan of public welfare, which the conſtitution lays down, but with that executive power which it veſts in the crown, and without which, all operations of government ceaſe. Reflection upon it.

It muſt, however, be admitted, that his lordſhip happened to make uſe of an unlucky word, and it is incredible what

Geo. II. 1730. use his speech was put to, in order to influence the public to believe that there was a settled design to unhinge the constitution, by making both houses of parliament dependent upon the minister. The speech, torn into scraps, was hackney'd round the kingdom; and none of the common writers for the ministry had either understanding or knowledge of the constitution, sufficient to vindicate the speaker.

Call of the house.

There being no division upon a point so interesting as the amendment of the address, was considered by the minority as owing to the remissness of their friends, over whom they had no compulsive power, in not coming to town, but as their own conveniency, and not the public business, directed. This occasioned a very amusing scheme of compulsion. For, a call of the house being ordered and held, two members, who were considered as of the country party, were, by their own friends, moved to be taken into custody; but were by the superiority of numbers on the side of the court excused: and this was the case with many others; some, on account of their being ill, and others, because they were on the road.

Members excused.

This management on the part of the court was certainly puerile and unparliamentary, as the attendance of every member in the house is to be considered as a service, and not as a matter of option or conveniency; besides, as they form part of the great council of the kingdom, the sovereign, by the true constitution of England, has a right to demand, that the full compliment of his counsellors should attend his service, upon the HIGH and ARDUOUS matters treated of in parliament relating to his kingdom. The court party themselves were sensible, that they had treated this matter with too great levity; and in order to compromise it, they agreed that certain days should be appointed for the defaulters to attend; and if they did not, they were to be taken into custody of the serjeant at arms.

Motion against the Hessian troops.

The true reason of all this preparation on the part of the opposition, was another attack which they meditated upon the establishment of the Hessian troops in the pay of Great Britain. For after the house had been furnished with all necessary papers, a motion was made for referring the estimate of the 12,000 Hessian troops in the pay of Great Britain, to the committee of supply. The reader, however, is to observe, that this motion was made the very day after the orders for the attendance of the defaulters were voted; so that the opposition could receive no assistance from them.

A very warm debate ensued upon this motion; and then it was that Mr. Daniel Pultney, though in his heart a staunch

whig,

whig, happened to adopt a ſtanding maxim of the tories, which had not been heard of in parliament ſince the downfal of their party. For he ſaid, that wars had happened on the continent of Europe, which, though foreign to the intereſts of England, England had born the expence of. Some of the arguments on both ſides were no other than what have been already mentioned upon that and the like ſubjects; but the following, on the ſide of the queſtion, deſerves particular attention. It was ſaid, "that commerce has connected England with the continent, though nature has diſjoined them. That by the Engliſh influence upon the affairs of the continent, they had acquired many advantages in trade; and in order to maintain them, they were ſometimes obliged to interfere in foreign quarrels. That ſome of the countries of Europe, which took off a great many Engliſh commodities, had ſo little communication with the ſea, that they could not be reached by our fleets; and that therefore, in caſe they laid the trade of the Engliſh under any hardſhips or inconveniencies, or offered them any inſults or indignities, they had no means of being righted or revenged but by getting ſome of the powerful ſtates in the neighbourhood upon the continent to back their reſentment. That this had often been found a very uſeful expedient to England; but ſhe could no longer avail herſelf of it, than while ſhe was ready in her turn to pay the ſame friendly offices to thoſe ſtates. That it was upon this principle the treaty of Hanover was concluded, and the Heſſian troops were taken into Britiſh pay; and that thoſe two meaſures had prevented the fatal effects which might have attended the ambition and obſtinacy of the emperor. Upon the ſame principle, the treaty of Seville was formed; which, by our engaging for the introduction of ſix thouſand Spaniſh troops into Italy, effectually detached Spain from the emperor. The latter, however, has filled Italy with his arms, in order to prevent the introduction of thoſe troops; and has nothing to dread in Germany but the Heſſians, who are in Britiſh pay; and ſhould they be now diſmiſſed, would leave him at liberty to kindle a flame in Europe, which might coſt Great Britain many millions before it could be extinguiſhed."

Geo. II. 1730.

Arguments for and againſt them.

Such were the principal arguments that prevailed with the houſe to refer the eſtimate in queſtion to the committee, after a diviſion of 249 againſt 164. Much the ſame arguments were urged when the ſubſidy to the duke of Wolfenbuttle came to be debated. The oppoſition affected to treat that prince with great ridicule and contempt, for his inſigni-

Diviſion upon the queſtion.

Geo. II. 1739. ficancy and indigence. In order to protract the time, and expoſe the meaſure as much as poſſible, a motion was made, and agreed to, for reading the third ſection of the act which paſſed in king William's time, for the further limitation of the crown; which ſays, "In caſe the crown ſhall come to any perſon not being a native of England, this nation ſhall not be obliged to go to war for defence of dominions not belonging to this crown." They likewiſe addreſſed for all the papers and treaties relating to the ſubſidy; but the ſame was referred to a committee of the whole houſe, by a majority of 194 againſt 112; and thus the ſubſidy paſſed of courſe.

The oppoſition now looking upon themſelves to be more conſiderable than ever, and knowing that ſince the reſignation of lord Townſhend the management of foreign affairs was the public outcry againſt the miniſter, reſolved to diſtreſs him as much as they could upon that head, by making motions, which, if carried in the negative, would heighten the ill impreſſions the public had of him; and therefore he very prudently ſuffered them to paſs. They accordingly addreſſed for all the papers relating to the treaty of Seville; for an account of the progreſs of the commiſſaries appointed by his majeſty and the king of Spain in conſequence of that treaty, for adjuſting the demands and reparations due to the merchants of Great Britain. We have already mentioned the eſtabliſhment of a civil government at Gibraltar, as being a favourite point of the public; but being attended with great difficulties, it had not yet taken effect. The oppoſition, therefore, carried an addreſs for an account of all the proceedings that have been had on that account, and for declaring Gibraltar a free port, ſince the laſt application of the houſe to his majeſty on that head. The non-compliance of the Spaniards with the treaty of Seville in commercial points, and their continuing in a manner to block up Gibraltar, gave another handle for an addreſs, which was too plauſible to be refuſed. It was, for copies of ſuch repreſentations, as his majeſty has received from the governor of Gibraltar, and from his majeſty's miniſter at the court of Spain, in relation to any works, carried on at Gibraltar by the Spaniards, ſince the concluſion of the treaty of Seville; together with ſuch orders, as have been given thereupon. All thoſe papers were accordingly laid before the houſe; but very little uſe ſeems to have been made of them; except furniſhing the heads of the party with materials for pamphlet-writing, which now raged in England to an exceſſive degree.

Papers addreſſed for relating to the treaty of Seville, and Gibraltar.

The

The court writers charged the country party with ſedition and defamation, and with omitting no practice or art that tended to alienate the minds and affections of his majeſty's ſubjects from his ſervice. They challenged them to ſhow a ſingle inſtance, of any violation done to the act of ſettlement, or of any deviation from the true intereſt of Great Britain. The country party, on the other hand, took into their pay one Amherſt, a man of profligate principles, needy, bold, ſcurrilous, but with a little academical learning, a very ſmall ſhare of wit, and leſs of political knowledge. Such was the man who was pitched upon to be the ſtanding author of the Craftſman; an anti-miniſterial paper, which flouriſhed at this time. But the defects of the ſtanding author, was amply made up by the abilities of the occaſional ones, who were no others than the leaders of the oppoſition themſelves, and who ſuffered very little of what came from Amherſt to appear in the paper. Lord Bolingbroke (to whoſe character we ſhall take an opportunity of doing juſtice) having, by his reſidence abroad, and his former employment in the ſtate, together with his foreign correſpondences, more knowledge of the foreign affairs than any man in England, became a frequent writer in this paper; though the avowed patron of it was Mr. William P. ſince created a peer.

Geo. II. 1730.

Rage of political writing in England.

Account of the Craftſman.

A ſingle periodical paper, however, was inſufficient for diſcharging all the arrows which the party aimed againſt the government; and therefore occaſional pamphlets flew about, which were anſwered with equal acrimony, but with leſs wit and ſatire, and with leſs true political knowledge, than thoſe of the oppoſition were filled with. Among the reſt, a pamphlet was publiſhed under the title of, A proper Reply to a late ſcurrilous Libel, intitled, Sedition and Defamation diſplayed. This laſt was ſuppoſed to be wrote by the lord Harvey, who taxed Mr. William P. with being author of the Reply. He not abſolutely diſowning it, ſome recriminations, in a very unparliamentary way, paſſed in the houſe of commons; and the animoſity between thoſe two members, from being political, became perſonal. Lord Harvey challenged Mr. P. to fight in the Green Park: the challenge was accepted. Mr. Fox, member of parliament for Shafteſbury, was ſecond to lord Harvey; as ſir John Ruſhout was to Mr. P. Fortune declared herſelf againſt the noble combatant, who received two ſlight wounds, and very narrowly miſſed being run through the body; but being parted by the ſeconds, no farther damage enſued to their perſons.

Duel between Mr. P. and lord Harvey.

It

Geo. II. 1730.

It was about this time that great numbers of the people of England thought it abſurd and oppreſſive, that after getting rid of a religion that had been taught in an unknown tongue, they ſhould be peſtered with law-proceedings in the ſame tongue, or an unintelligible jargon of it. The firſt petitions on this head came from Yorkſhire; and the committee, to whom they were referred, upon the 22d of February, reported to the houſe, that it appeared to them, "That the proceedings in the law being in law Latin, abbreviated, and wrote in court hands and characters, unintelligible and not legible, to the moſt part of the perſons concerned, eſpecially in criminal caſes, are the great delay of juſtice, and occaſion moſt dangerous frauds. That ſpecial pleadings are very expenſive, intricate, and dilatory; and highly prejudical to the property of the ſubject. That the recovery of ſmall debts, as the law is now practiſed, is ſo expenſive, that many prudent people chuſe rather to loſe their juſt dues, than go to law for the recovery thereof, to the deſtruction of credit, and great detriment of trade. That the number of attornies admitted in the court of King's Bench, amounts to 1157; and that the number of attornies in the court of Common Pleas, amounts to 3006."

Petition againſt law proceedings in Latin.

Reſolution.

Great number of attornies.

It will be perhaps difficult for the reader to conceive, that a ſet of reſolutions, founded like theſe, upon the plaineſt and moſt obvious principles of common ſenſe, could meet with any oppoſition. But it is certain they did, and that there were not wanting in the houſe arguments for the continuance of the Latin jargon in law proceedings, the principal of which was, "that if the language and writing of the law ſhould be altered and made according to the modern way of ſpeaking and writing, no man would ever be at the pains to ſtudy that antient language and writing which moſt of our valuable records are wrote in; ſo that the uſe of them would be in a few years entirely loſt." But to this it was replied, that the neceſſity of ſuch a ſtudy would prevent it from ever falling into diſuſe; becauſe the courts of law muſt be daily obliged to recur to old writings in the courſe of their practice, and that even the ſtudy of manuſcripts and other papers much older than any of our law records, was ſtill kept up in England. At laſt the reſolutions were received, and a bill was brought in, and paſſed into a law, according to the prayer of the petition.

Debates on the ſame.

The diſputes that had happened in the execution of the treaty of Seville, by the haughtineſs and obſtinacy of the court of Spain, threw Europe at this time into a very extraordinary ſituation. The emperor pleaded, that the treaty was an encroach-

State of Europe.

encroachment upon him, as head of the empire; and that don Carlos ought to have been introduced into Italy, and the ſucceſſion of the dominions there ſecured to him, by his receiving the inveſtiture of them from the emperor, and by the conſent of the empire; both which were ready whenever demanded: and he alledged what was afterwards juſtified by the event, that the ſucceſſion of don Carlos to the duchies of Tuſcany, Parma, and Placentia, was not the ultimate view of the court of Spain. But in the beginning of this year, the duke of Parma died ſuddenly, and the Imperial troops immediately took poſſeſſion of his capital and dominions. The ducheſs of Parma, in order to retard the acceſſion of don Carlos, was prevailed upon to ſay ſhe was with child. Upon this, the Imperialiſts publickly declared, that they had taken poſſeſſion of the duchies under the auſpices of the emperor, in the name of the infant don Carlos, the heir, provided he does not come armed, but in a pacific manner; but with a ſalvo to the iſſue of the pregnant belly, if it ſhould prove a male.

Geo. II. 1730.

Death of the duke of Parma.

The conſequences thereof.

The court of Spain had too good intelligence not to ſee through all this management; and at the ſame time they had undoubted information, that a negotiation was pretty far advanced between the courts of Vienna and London, upon the footing, that the contracting parties in the treaty of Seville, ſhould guaranty the pragmatic ſanction; by which the emperor's female iſſue was to ſucceed to his hereditary dominions. All this, together with the commercial differences that ſtill continued to ſubſiſt between the courts of Great Britain and Spain, irritated the latter ſo much, that the marquis de Caſtelar, the Spaniſh ambaſſador at Paris, gave under his hand a declaration to the miniſters of the allies of the treaty of Seville, in the name of the king his maſter, importing, 'that his Catholic majeſty looked upon himſelf as entirely free from the obligations of the ſaid treaty."

Conduct of the courts of Vienna and London.

Declaration of the Spaniſh miniſter.

This declaration coming to the ears of the oppoſition in England, they moved, February 23, to addreſs his majeſty for a copy of it; but no ſuch declaration being authentically intimated to the houſe, a compliance with the motion was looked upon as ſo bad a precedent, that it was rejected by a majority of 243 againſt 121.

Diviſion.

Mean while, the treaty on foot between his majeſty and the emperor, was ſigned on the 16th day of March; but it does not appear, that the ſame was this ſeſſion laid before the houſe.

The ſecond treaty of Vienna.

By

Geo. II. 1730. By the firſt article of this treaty, a mutual guaranty of all the territories belonging to the contracting powers is ſtipulated.

The contents. The ſecond article ſtipulates a general guaranty of the pragmatic ſanction in favour of the emperor's female heirs.

By the third article, his Imperial majeſty conſents to the introduction of the Spaniſh troops into the duchies of Tuſcany, Parma, and Placentia; and binds himſelf to uſe his utmoſt endeavours to obtain the conſent of the empire for that purpoſe.

By the fourth article it is ſtipulated, that all parts of the treaty ſhall be duly and truly executed

The fifth article entirely aboliſhes all navigation to the Eaſt-Indies, either from Oſtend, or any other part of the Auſtrian Netherlands; excepting the ſending (once only) two ſhips from Oſtend: and commiſſioners, by the ſame article, are to meet on the parts of both powers at Antwerp, for ſettling a tarif between Great Britain and the Auſtrian Netherlands.

By the 6th article it is agreed, that all points of difference amongſt the contracting powers, or any of their allies, ſhould be amicably adjuſted; and that the preſent treaty is not to derogate from the force of any of the former treaties ſubſiſting between either the contracting parties, or their allies, excepting ſo far as they are inconſiſtent with the preſent treaty.

By the ſeventh article, the Engliſh, touching their commerce in the kingdom of Sicily, are to be treated on the ſame footing as they were in the reign of Charles the ſecond of Spain, and as it is uſual to treat a nation with which one is in ſtrict friendſhip.

The eighth article fixes ſix months after the ratification for the acceſſion of the other powers, who ſhall be invited into the treaty.

The ninth and laſt article allows ſix weeks for exchanging the letters of ratification.

Separate article. Beſides theſe, there was a ſeparate article, which declared, "that the guaranty entered into by the contracting powers, ſhould not extend to the emperor's dominions, which might be attacked by the Turks. At the ſame time his Britannic majeſty declared authentically, that notwithſtanding the introduction of Spaniſh garriſons into the ſtrong places of Tuſcany, Parma, and Placentia, yet that he had no intention to depart from what had been ſettled by the 5th article of the quadruple alliance, either with regard to the rights

of

of his Imperial majeſty and the empire, or to the ſecurity of the kingdoms and ſtates, which his Imperial majeſty actually poſſeſſes in Italy; or laſtly, to the preſervation of the quiet and dignity of thoſe who were then the lawful poſſeſſors of thoſe duchies, and therefore, he renews to the emperor the guaranty of thoſe countries. But to take away all ſuſpicion of the emperor's trifling in this matter, he emitted a declaration, of the ſame force and date with the treaty, importing, "that if the pregnant ducheſs-dowager of Parma ſhould be brought to-bed of a ſon, the introduction of the Spaniſh troops to that duchy, ſhould ſtill take place; and that, if ſhe ſhould be brought to-bed of a daughter, don Carlos was immediately to be put into poſſeſſion of the duchies of Parma and Placentia, by an eventual inveſtiture from the emperor and the empire." And his Imperial majeſty farther declares, "that in caſe the ducheſs-dowager ſhould be brought to-bed of a daughter, he will immediately withdraw his troops from the duchies of Parma and Placentia, to give way to the peaceable poſſeſſion."

Geo. II. 1730.

See Vol. XIX. p. 203.

Declaration of the emperor.

Though the States-General appeared as one of the principal contracting parties in this treaty, yet it was pretended, that the nature of their government required ſome time, before they could formally accede to it. This was, in fact, no other than a pretence; and the States-General, inſtigated by France, who took great umbrage at this ſecond treaty of Vienna, as it was called, ſeemed, at firſt, to reſent that they had been excluded from all the negotiations previous to a treaty, in which they were inſerted as principal contracting parties. The French, at that time, had more ſway in their government, than either the emperor, or Great Britain, ſingly, but were not equal to them jointly. The States, however, had great difficulties to conquer, before they acceded. They thought it dangerous to the balance of power in Europe, to guaranty the pragmatic ſanction, unleſs the emperor was bound up from marrying his daughter to any powerful prince, who might diſturb the tranquillity of Europe; they likewiſe ſtarted ſome other objections, relating to commerce, the chief of which was, that purſuant to the meaning of the treaty of Munſter, the ſubjects of the Auſtrian Netherlands ſhould be prohibited from trading, not only to the Eaſt and Weſt Indies, but to Africa likewiſe.

Acceſſion of the States-General thereto.

Such was the negotiation, which was repreſented by the oppoſition in Great Britain, as crude, contradictory, and inconſiſtent with former treaties. The reader, now that the temporary rage of parties has ſubſided, may judge for himſelf.

Conduct of the miniſtry in the treaty vindicated.

Geo. II. 1730. ſelf. It is certain, that this treaty brought the ſyſtem of power in Europe back to that poiſe, which has always been moſt favourable for the intereſt of Great Britain. His Britannic majeſty, by the eaſy and natural expedient of guarantying the pragmatic ſanction, a point in itſelf of the greateſt conſequence to England, found means once more to unite himſelf to the houſe of Auſtria. The fulfilling his engagements with Spain were rendered practicable, without expence or trouble. The Oſtend company, which had ſpread ſuch an alarm over England and Holland, was formally aboliſhed, and the States General were rendered ſecure on all hands.

CHAP. III.

Spaniſh depredations—Law fees inſpected—Proceedings againſt the charitable corporation—Caſe of the ſugar iſlands — Proceedings thereupon in parliament—Don Carlos introduced and ſettled in Italy—Death and character of the duke of Wharton—Duke of Lorrain in England—Meeting of parliament—Proceedings there—Character of general Wade—Salt duty revived—Great debates on the ſame—Proteſts—Expulſions on account of the charitable corporation—Bellomi's letter—Proceedings on the ſale of lord Derwentwater's eſtate—The Daniſh agio debated—State of affairs in Holland, Germany, France, Spain, Italy, and Pruſſia—Riſe of the exciſe ſcheme—Parliament meets—Penſion-bill revived—Spaniſh depredations—Bill relating to the ſugar colonies—York-building company—Five hundred thouſand pounds borrowed from the ſinking fund.

Haughtineſs of Spain.

THE court of France took great umbrage at the guaranty of the pragmatic ſanction by Great Britain and the States-General, and negotiated ſo ſucceſsfully, at the court of Madrid, that the Spaniards reſolved not to abate a ſingle circumſtance, that could render the execution of the treaty of Seville, as difficult and as expenſive to England as poſſible.

Petitions againſt the Spaniſh depredations.

In this they were greatly aſſiſted by the diſſenſions that continued to rage in the parliament of Great Britain. For, while the government were making preparations for executing the favourite point of Spain, that of introducing don Carlos

Carlos into Italy, the parliament was daily receiving petitions, complaining of the Spaniſh depredations in the Weſt Indies. The commiſſaries appointed by his majeſty, in conſequence of the treaty of Seville, had not been able to prevail with the court of Madrid to name commiſſaries on her part, ſo that they had not been able to make the ſmalleſt progreſs in obtaining ſatisfaction for the Britiſh ſufferers. Upon the 26th of February this year, it appeared by a letter from Mr. Crookſhanks, ſecretary to the Engliſh commiſſaries, that no fewer than 93 captures had lately been made; and freſh complaints were daily coming in. Every petition afforded freſh matter for railing againſt the miniſter, for not declaring war, or at leaſt iſſuing orders for repriſals; and the ſubject itſelf was ſo popular, that neither he nor his friends durſt make the defence which they might have done. Geo II. 1730.

For the truth is, that though the Spaniards had been guilty of ſeveral depredations in thoſe ſeas, yet not a third of what were alledged, had any foundation of truth; and moſt of the ſhips taken were certainly concerned in an illicit trade, contrary to the direct ſtipulations of the treaty of Munſter, and the ſpirit of all the treaties ſubſequent thereto. The miniſter would gladly have evaded any debate upon that head, but finding it impoſſible, on the 16th of March, Mr. Scroop reported from the committee of the whole houſe, to whom the petitions from Briſtol and Liverpool were referred, that the petitioners had fully proved and made good the allegations of their petitions. The houſe was then moved, that an humble addreſs be preſented to his majeſty, "that he will be graciouſly pleaſed to continue his endeavours to prevent the depredations of the Spaniards for the future; to procure full ſatisfaction for the damages already ſuſtained; and to ſecure to the Britiſh ſubjects the full and uninterrupted exerciſe of their trade and navigation, to and from the Britiſh colonies in America." Theſe reſolutions not being, by the oppoſition, thought ſtrong enough for their purpoſe, which was, to force the miniſter to a war, Mr. William P. propoſed an amendment to be made to the queſtion, by leaving out theſe words, "That he will be graciouſly pleaſed to continue his endeavour to prevent the depredations of the Spaniards;" and inſtead thereof, to inſert theſe words, "Humbly to repreſent, that notwithſtanding the former applications of this houſe to his majeſty, in relation to the depredations made by the Spaniards upon the effects of his majeſty's trading ſubjects, and his endeavours to procure ſatisfaction for the ſame, and to prevent the like for the future; and notwithſtanding the Reſolution upon them. Amendment propoſed.

Geo. II. 1730.

treaty concluded at Seville, it appears to this houſe, that the Spaniards have continued their depredations, and treated his majeſty's ſubjects with the utmoſt barbarity; and therefore moſt humbly to beſeech his majeſty, that he will be graciouſly pleaſed to take ſuch meaſures as may be effectual, to prevent the like inſults." This amendment was ſupported by all the eloquence and ſtrength of the party, and a very high debate aroſe upon it. Mr. P. ſir William Windham, Mr. Barnard, and others, repreſented the very high improbability there was of the nation's obtaining any ſatisfaction from Spain by fair means; and that to delay it any longer, would, in fact, be giving up all the Britiſh commerce in America. They repreſented, that the depredations complained of, were not the acts of a few unauthorized petty pirates, but the orders of the court of Spain itſelf, whoſe direct view was to extirpate the Britiſh commerce in America. To this it was replied by ſir Robert Walpole, Mr. Pelham, and ſir William Young, that the firſt propoſed reſolution was all that they could properly, prudentially, or decently, lay before the throne, where the power of making peace or war is veſted. That orders had been ſent by the court of Spain to their governors, to put a ſtop to thoſe depredations, and that his Catholic majeſty having, in fact, by the treaty of Seville, ſubmitted to make good the loſſes the Britiſh ſubjects had ſuſtained from the Spaniards in the American ſeas, it was evident that he had no thought of any ſuch claim, as the gentlemen, who were for the amendment, had mentioned. That beſides, the captures alledged, ſince the concluſion of the treaty of Seville, were but very few, and very doubtful, and that nothing could be more abſurd, than for that houſe to make themſelves judges of matters that ought to come within the cognizance of a court of admiralty only; that before the houſe could take upon them to adviſe his majeſty to proceed to hoſtilities, which was the tendency of the amendment, they ought to be quite clear as to facts, which could not be without hearing both parties; whereas, what they already heard was one party only.

Debate upon it.

Though nothing could be more ſatisfactory to reaſon than thoſe objections to the amendment, yet the oppoſition affected to hear them with great contempt; but the houſe dividing, the amendment was rejected by a majority of 207 againſt 135.

Diviſion.

Great part of this ſeſſion was taken up in relieving the ſubjects from the abuſes of the law. This was a natural conſequence of the enquiry into the ſtate of public gaols, and it

Courts of law fees inſpected.

it ſoon appeared, that the courts wanted as much reformation as the gaols. The commons ordered in liſts of all the fees taken in the public offices belonging to the law, which amounted annually to an incredible ſum, moſt of it to officers, for doing nothing. But the enquiry was too perplexed and too tedious, for any effectual ſtop being put to the evil within the period of one ſeſſion. Geo. II. 1730. March 15.

The abuſe of the charitable corporation was another public nuſance, which was enquired into. During this ſeſſion, ſeveral petitions were brought up againſt it; one particularly, from the city of London, complaining, "that the corporation, called the charitable corporation, for the relief of the induſtrious poor, by aſſiſting them with ſmall ſums of money at legal intereſts, do lend large ſums on goods bought on credit by ill-deſigning perſons, and do exact and take exorbitant and unreaſonable rates, and ſell the goods pledged, if not redeemed in the time ſtipulated, at ſuch low rates, as no fair trader can afford them; and ſeveral other acts, contrary to the true intent of their charter, repugnant to the public good, and prejudicial to the fair trader." Petitions againſt the charitable corporation.

The petition was preſented at the bar by the ſheriffs of London; and being referred to a committee of the whole houſe, it was followed by another from the merchants and other traders in the city of London, complaining, "that although the laws, for leſſening the intereſt of money, are the ſupport of trade, and of common benefit to mankind, yet divers perſons have contrived various ways to evade their force; and others, as a corporation, have alſo carried on the ſame pernicious practices to a greater degree, by miſuſing and abuſing a charter, granted by the late queen, for relief of the poor, by aſſiſting them with ſmall ſums on pledges, at legal intereſt, and acting contrary to the true intent of that grant, under colour whereof, they lend very great ſums to ill-minded and neceſſitous perſons on pawns, for which, under pretence of warehouſe-room, inſurance, and ſuch-like evaſions, they take ſuch exorbitant rates, as no fair trade can afford, to the deſtruction of trade and credit, the oppreſſion of the poor, and the encouraging ill-deſigning perſons to take up goods on credit, pawn the ſame for ready money, and then withdraw from their creditors: and praying, that the law may be made more effectual againſt uſury and exaction." This petition was referred to the ſame committee as the laſt was, as was another petition, of the ſame nature, from the ſilk and worſted manufacturers in Spitalfields. Referred to a committee.

Geo. II. 1731. On the other hand, the directors and others, concerned in the corporation, procured a petition, ſaid to be ſigned by divers merchants, traders, and others, in London, and the ſuburbs thereof, in favour of the corporation; and the corporation itſelf petitioned to be heard by counſel, againſt the petitions from the city of London, which was granted.

March 24. Counter-petition.

Though the petitions againſt the corporation were founded upon the general principles of trade, yet there was great ſuſpicion at the ſame time, of the moſt flagrant abuſes having been introduced, into the management of the capital of the proprietors, by the indolence or connivance of the directors, and the iniquity of their ſervants. This ſuſpicion was ſtrengthened, when ſeveral ſervants belonging to the corporation endeavoured to abſcond from being examined before the committee, to whom the above petitions, and ſeveral others, againſt the corporation, were referred. All the effect, however, that the petitions againſt the corporation, produced at firſt, was, a reſolution reported from the committee by Mr. Conduit, the chairman, and unanimouſly agreed to by the houſe, that the corporation had taken for large ſums they had lent, ten per cent. under colour and pretence of reaſonable coſts and charges, and that the corporation ought therefore to be regulated and reſtrained; and a bill was accordingly ordered in, for regulating the lending money upon pledges, and for preventing uſury and extortion.

Bill ordered in for regulating the lending money.

Upon the 23d of February, a petition of the utmoſt conſequence to the commerce of Great Britain, came before the houſe. It was ſigned by the merchants, planters, and others, concerned in his majeſty's ſugar colonies, complaining, "that divers of his majeſty's ſubjects, reſiding within his dominions in America, and elſewhere, have of late years carried on a trade to the foreign ſugar colonies in America, from whence they are ſupplied with ſugar, rum, molaſſes, and their other productions, inſtead of thoſe from our own colonies, as well as with foreign European goods and manufactures, contrary to the intention of the laws in being, and the treaty made with France in 1686; and as this new method of trade increaſes and enriches the colonies of other nations, ſo it is injurious to the trade of this kingdom, and greatly impoveriſhes the Britiſh ſugar colonies."

Petition from the ſugar iſlands.

This petition was referred to the conſideration of a committee, and though it was ſtrongly oppoſed by the agents of the Northern colonies, it had a very full and ſolemn examination; in the courſe of which, it very plainly appeared, that if a ſtop was not immediately put to the trade between

Oppoſed by the Northern colonies.

tween New England and the French ſugar colonies in America, the abſolute ruin of the Engliſh ſugar iſlands muſt enſue. It appeared, that by New England ſhips furniſhing the French colonies with terſes and timber, cut out of the king's woods, and by the ſmall duties paid upon French ſugars in Martinico, compared to what was paid in Barbadoes and Jamaica, the French were enabled to underſell the Engliſh very much; no more than one per cent. being paid for exportation, of all the produce of the French iſlands. It was farther proved, that the vaſt improvement in all kind of manufactures of linen, woollen, and iron, in and about Boſton and New England, enabled them to ſerve the French with all thoſe commodities, and in return, they had their molaſſes, ſugars, rums, and ſilks. All thoſe particulars, and a great deal more was proved in prejudice of Great Britain, before the committee, and the houſe then called for the treaty between James II. and the French king, in the year 1686, where it plainly appeared, that all thoſe practices and intercourſes between the French and Engliſh colonies, were direct violations of the 5th article of that treaty *.

Geo. II. 1731.

Proceedings upon the petition.

* The words of the treaty are theſe. "And therefore the ſubjects, inhabitants, merchants, commanders of ſhips, maſters and mariners, of the kingdoms, provinces, and dominions, of each king reſpectively, ſhall abſtain and forbear to trade and fiſh, in all poſſeſſed, or which ſhall be poſſeſſed by the one or the other party in America; viz. the king of Great Britain's ſubjects ſhall not direct their commerce and trade, nor fiſh in the havens, rivers, bays, creeks, roads, ſhores, or places, which the moſt Chriſtian king holds, or ſhall hereafter hold, in America; and in like manner, the moſt Chriſtian king's ſubjects ſhall not direct their commerce and trade, nor fiſh in the havens, rivers, bays, creeks, roads, ſhores, or places, which the king of Great Britain poſſeſſes, or hereafter ſhall poſſeſs, in thoſe parts; and if any ſhip or veſſel ſhall be found trading or fiſhing, contrary to the tenor of this treaty, the ſaid ſhip or veſſel with its lading (due proof thereof being made) ſhall be confiſcated; nevertheleſs, the party who ſhall find himſelf aggrieved, by ſuch ſentence of confiſcation, ſhall have liberty to apply himſelf to the council of ſtate of that king, by whoſe governors or judges the ſentence has been given againſt him, and there complain of the matter, which nevertheleſs ſhall not ſtop the execution of the ſentence. But it is always to be underſtood, that the liberties of navigation ought in no manner to be diſturbed, where nothing has been committed againſt the genuine ſenſe of this treaty."

Geo. II. 1731.

The examinations which paſſed upon this occaſion, were productive of a bill, for the better ſecuring and encouraging his majeſty's ſugar colonies in America. The houſe ſeemed to be alarmed at the great progreſs of manufactures in New England, and upon the continent of America, belonging to Great Britain; and many members were inclinable to have carried through a bill, this very ſeſſion, for preventing the conſequences. This, however, was found impracticable, not only on account of the ſhortneſs of time for preparing the neceſſary papers that muſt be laid before the houſe, but becauſe the miniſtry privately were againſt all meaſures that could embroil them farther with France. The commons, however, reſolved to addreſs his majeſty, "to give directions to the commiſſioners for trade and plantations, to prepare a repreſentation to be laid before this houſe in the next ſeſſion of parliament, of the ſtate of his majeſty's colonies and plantations in America, with reſpect to any laws made, manufactures ſet up, and trade carried on there, which may affect the trade, navigation, and manufactures of this kingdom."

Bill ordered in.

Addreſs for papers.

But this addreſs not being thought ſufficient to ſtop the evil, in the mean time it was moved to addreſs his majeſty, "to give ſuch orders and inſtructions to the ſeveral governors of his colonies and plantations in America, as his majeſty ſhall think moſt proper, to prevent the ſetting up, or to diſcourage the improvement, in any of the ſaid colonies, of woollen, linen, iron, and other manufactures, which may interfere with, and be prejudicial to, the manufactures of this kingdom;" this motion, however, was dropped, upon the previous queſtion being put. On the 7th of May, the laſt day of the ſeſſion, the oppoſition made another puſh, to addreſs for the value of the exports and imports between Great Britain, his majeſty's plantations in America, and all foreign countries, for ten years paſt, diſtinguiſhing each year, each plantation and foreign country; but this motion was rejected by a majority of 94 againſt 46.

Other addreſſes propoſed,

but dropt.

It is difficult, upon the principles of ſound policy, to account for the backwardneſs of the miniſtry in this affair, which was ſo very intereſting to the mother-country, for, we are to obſerve, that the act, for encouraging the ſugar colonies, did not paſs the houſe of peers. During the courſe of the debates upon it, ſome attempts were made to ſhow, that the Northern colonies, and conſequently the mother-country, profited greatly by the intercourſe complained of, and ſome hints were thrown out, that we might repent the diſobliging ſo large and ſo powerful a people. But

Reflection on the bill's being thrown out by the lords.

theſe conſiderations were neither ſufficiently founded on fact, or if they had, they could not have outweighed many arguments that were urged on the other ſide; particularly with regard to the vaſt diſadvantages that Martinico and all the French ſugar [b] iſlands muſt be under, were they not ſupplied with horſes, tools, wood, and all kind of utenſils, for carrying on their ſugar works, while all that the nothern colonies receive in return, may be ſupplied by the produce of our own ſugar iſlands. As to the hazard of the mother-country diſobliging the Northern colonies, there was none; as they never could ſubſiſt without England: but it was urged, that if they were not timely checked in their illicit practices, there might be ſome danger; that in the mean time, the bill in queſtion, would have this good effect, that if it paſſed into a law, it would oblige the Northern colonies to apply themſelves to raiſing flax and hemp, and other naval ſtores, which muſt be of vaſt ſervice to the mother-country. Geo. II. 1731.

It was now the opinion of the public, and not without foundation, that the miniſter ſuffered the penſion-bill to paſs in the houſe of commons only, becauſe he knew it would be thrown out in the houſe of lords. It is certain, the oppoſition were to the laſt degree exaſperated at the miſcarriage of it, and therefore, on the 3d of March, they made a very unparliamentary motion, That a committee be appointed to enquire, whether any members of this houſe have, directly or indirectly, any penſions, during pleaſure, or for any number of years, or any offices from the crown, held on truſt for them in part, or in the whole. Penſion-bill. An unparliamentary motion.

Sir Robert Walpole called this a motion for erecting the houſe into a court of inquiſition; and ſaid, that it juſtified the treatment which the bill had met with in the other houſe. He added, "that he could not ſee any poſſibility of the ends Debate on it.

[b] That the reader may know the vaſt importance of the Martinico ſugar trade, the following account of their exportations to foreign markets, particularly to Hamburgh, for 7 years, was laid before the houſe of commons.

In	Hhds.
1724	7,607
1725	9,397
1726	9,394
1727	10,569
1728	7,104.
1729	12,750
1730	14,546.

And the reaſon why there was a decreaſe that year, was, becauſe of an earthquake at Martinico.

The total for the 7 years amounts to 71,707 Hhds. imported from France, of the produce of the French ſugar iſlands.

29664

Geo. II. 1731. of the motion being anſwered, unleſs the houſe ſhould aſſume to itſelf powers unknown to this conſtitution; a power of obliging every gentleman that was ſuſpected to accuſe himſelf, not of any thing criminal, for there could be no crime in taking either a place or a penſion from the crown, but of what the houſe may conſtrue to be criminal, and in conſequence of that conſtruction, diſfurniſh half the counties and boroughs in England of their repreſentatives." The arguments urged in ſupport of the motion, were much the ſame with thoſe made uſe of for the penſion bill. A great many gentlemen, however, who were ſuſpected to have penſions or places in truſt, though they were in their minds againſt the motion, yet to avoid ſuſpicion voted for it; but it was thrown out by a majority of 206 againſt 143. Another, what we may call a deſperate motion, was made for addreſſing the king to diſcharge the 12,000 heſſians in the pay of Great Britain. But that, for very obvious reaſons, was rejected by a ſtill greater majority of 210 againſt 89.

Thrown out on a diviſion. April 30.

Seſſion ends. 1731. Such were the proceedings of this buſtling ſeſſion of parliament that fall within the cognizance of hiſtory. It is certain, the oppoſition was conducted with great art and ſpirit; and the plauſibility of their motions gained them a great number of friends without doors. That conſideration, however, did not damp the miniſter; and he proceeded to fulfill the engagements his majeſty had entered into with his allies: for on the 14th of July, ſir Charles Wager (being made admiral of the blue for that purpoſe) ſailed from Portſmouth with a ſtrong fleet, and arrived the 1ſt of Auguſt at Cadiz. Here finding the Spaniards not ready, after an audience of the king of Spain at Seville, he proceeded to Barcelona, where being at laſt joined by the Spaniſh fleet, he ſailed on to Leghorn. Mean while, proper diſpoſitions were making for introducing the Spaniſh troops peaceably and effectually. This was greatly facilitated by the ducheſs dowager of Parma at laſt declaring that ſhe was not with child; upon which the Imperial general, count Stampa, reſigned to the duke of Tuſcany and the ducheſs dowager Dorothea of Parma, as joint guardians of the infant don Carlos, the adminiſtration of the duchies of Parma and Placentia, and marched with his troops to the Milaneſe.

Britiſh fleet ſails to Spain.

Affairs there.

Don Carlos introduced into Italy.

Foreign affairs. All Europe was ſurprized that the court of Spain, inſtead of truſting the perſon of don Carlos on board the Engliſh fleet, which had come ſo far to perform for him ſo ſignal a ſervice, ſhould rather chuſe to truſt the French, who had endeavoured to render

render the treaty ineffectual, by which he was introduced. For inſtead of ſailing, as he might eaſily have done, from Barcelona directly to Leghorn, he went by land through Languedoc and Provence, and embarked at Antibes for Italy. The honours paid him in his journey through France, made the public more than ſuſpect that there was a much better correſpondence between the French court and that of Spain, than was generally imagined; and the event juſtified the conjecture. The nation at home, as well as the Britiſh admiral, conſidered the conduct of Spain as a ſlight put upon the Britiſh flag; notwithſtanding which, all the engagements of Great Britain were moſt punctually performed by him; and having ſeen don Carlos quietly ſettled, he returned with his fleet to England. Geo. II. 1731. Dec. 10.

I cannot cloſe the tranſactions of this year, without obſerving, that the late act againſt the drinking geneva and other ſpirituous liquors amongſt the common people, had as yet but very little effect; for their profligacy continued to an amazing degree [a]. Profligacy of the Engliſh lower ranks of people.

The moſt noted ſubject of England, who died this year, was Philip duke of Wharton; a man who had always lived in ex- Death and character of the duke of Wharton.

[a] At the general quarter ſeſſions of the peace for the city of Weſtminſter, which began April 21ſt, Thomas Railton, eſq; eldeſt juſtice of the peace for Weſtminſter, made a report to the court of the proceedings of the committee for ſuppreſſing night houſes, night-cellars, and other diſorderly houſes; whereby it appeared, that the ſaid committee had bound over to the quarter-ſeſſions in all 58 perſons, for keeping thoſe ſort of houſes; and committed to priſon 16 perſons for the like offence; and that 24 perſons had been indicted for keeping thoſe wicked houſes and places (the neighbourhood which complained of them being bound in recognizances to proſecute). That of the houſes under proſecution, 26 were ſuppreſſed, and the perſons who kept thoſe houſes ran away; among which are two of the moſt notorious receptacles for thieves, pickpockets, &c. that ever were in the liberty of Weſtminſter. That the ſaid committee had met in all 24 times, have granted many ſearch warrants, and have committed to the houſe of correction in all 127 rogues, vagabonds, ſturdy beggars, and idle and diſorderly perſons, who, on ſuch warrants have been apprehended in night-houſes, or other diſorderly houſes, or ſuch as infeſt the ſtreets in the night time. That their proceedings meeting with much oppoſition, eſpecially in the beginning, the committee have bound over to the ſeſſions 14 perſons for aſſaulting and reſiſting the conſtables in the execution of their office, and convicted 11 perſons for profane curſing and ſwearing.

Geo. II. 1731.

treams, and indeed he had abilities to have ſupported the greateſt character. He had a vaſt genius, which his vanity ſometimes prompted him to exert with great ſucceſs upon moſt abſtruſe and difficult ſubjects, but oftener to proſtitute to the meaneſt and moſt infamous purpoſes. Being too impatient for waiting till he could be the firſt man in the government, which his father's merits, joined to his own abilities, might have raiſed him to be, he choſe to be the leader amongſt ſots, ſharpers, traitors, and the very loweſt and moſt abandoned of all company. After proſtituting his pen againſt his ſovereign, he drew his ſword againſt his country: for having fled from England, he waited on the pretender, whoſe title he recognized; and he ſerved under the king of Spain at the late ſiege of Gibraltar. The government gave him many opportunities, and his majeſty made him many gracious offers to reclaim him to his duty; but, rejecting them all, he became no longer the object of pity, and at laſt died deteſted and deſpiſed, even by the party for whom he ſacrificed his honour, his eſtate, his reputation, and his conſcience.

State of the nation.

The ſtate of the nation at the end of this year, notwithſtanding it was ſtrongly allied; was far from being tranquil. The violence of party pamphlets continued to ſuch a degree, that even the moſt ſacred repoſitories of friendſhip were broken up and expoſed to every vulgar eye. This ſerved only to exaſperate matters, and to render party controverſies merely perſonal. It was generally ſuppoſed to be ſomewhat of that kind, which prevailed upon his majeſty in council to ſtrike the name of Mr. William P. out of the liſt of the privy counſellors. And his majeſty farther ordered, that the ſaid William P. be put out of all commiſſions of the peace; and that the ſeveral lords lieutenants who have given him commiſſions, do revoke the ſame; and the lord chancellor of Great Britain, and his majeſty's principal ſecretaries of ſtate, were directed to give the neceſſary orders therein. We ſhould not have mentioned this incident, which is of a private nature, had it not been attended with great public conſequences; for the miniſter was loaded with the blame of all, as having miſrepreſented matters to his majeſty.

Mr. Pultney ſtruck out of the privy council, and all commiſſions of peace.

Duke of Lorrain viſits England.

The Dutch had not yet ſimply acceded to the ſecond treaty of Vienna; and they ſtill expreſſed an uneaſineſs, leſt the emperor's heireſs ſhould marry ſome potent prince, who might give law to Europe, while poſſeſſed of the dominion of Auſtria. The emperor himſelf thought this a conſideration of great weight; and fearing that his hereditary dominions

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in ſuch a caſe might become no better than an acceſſion to another, he caſt his eye upon the duke of Lorrain, as being the only unexceptionable prince in Europe to become huſband to his daughter. The matter, however, was to be cautiouſly handled; and previous to every other conſideration, it was neceſſary his Britannic majeſty ſhould approve of the propoſal. It is generally thought to be with this view that the duke paid a viſit to England in October this year; and after having had ſeveral private conferences with his majeſty, he returned to Holland in December, in one of the royal yatchts. Few people, however, at that time, ſuſpected the motive of his viſit. Geo. II. 1731. His purpoſe.

The miniſtry of Great Britain now challenged the boldeſt of their opponents to mention a ſingle circumſtance neceſſary for the tranquillity of Europe, and the proſperity of Britain, that had not been provided for. His majeſty expreſſed the ſame ſentiments in his ſpeech at the meeting of the parliament on the 13th of January. He aſſured them, that the general tranquillity of Europe was now reſtored and eſtabliſhed, and all his expectations on that head fully anſwered. "The ſhare of credit and influence," continued he, "which the crown of Great Britain has had in bringing about this difficult and deſireable work, and which redounds ſo much to the honour and intereſt of the nation, as it is univerſally confeſſed abroad, will, I am confident, be agreeable to my people, and acknowledged with gratitude by you. It is well known, that, from the time of concluding the quadruple alliance, the ſeveral courts of Europe have been employed in finding means to execute, what the principal powers had agreed to, for the ſucceſſion of Tuſcany and Parma in favour of an infant of Spain; but the various jarring and contending intereſts, hard to be reconciled and united, in effectuating a point of ſo much importance, the extended views and hopes of obtaining, on every ſide, further advantages, and the natural jealouſies and diſtruſts riſing among the ſeveral powers concerned; but ſuch oppoſite principles and purpoſes had kept in ſuſpence, and unexecuted, what the court of Spain had very much at heart, and occaſioned ſuch troubles and diſturbances as embarraſſed the affairs of Europe for many years, and particularly affected the intereſts of this nation." 1731-32. Parliament meets. Subſtance of the king's ſpeech.

The reſt of the ſpeech is in the ſame congratulatory ſtile; and it concludes in the following warm manner. "This happy ſituation of affairs, I promiſe myſelf will inſpire you all with ſuch temper and unanimity, and ſuch reaſonable zeal for public good, as becomes a parliament, ſenſible of the great

Geo. II. 1731-32. great bleſſings they enjoy. The duty and affections of my ſubjects, are all the return I deſire for my paternal love and concern for them. My government has no ſecurity but what is equally conducive to your happineſs, and to the protection of my people; and your proſperity has no foundation but in the defence and ſupport of my government: our ſafety is mutual, our intereſts are inſeparable."

It is very plain, from the whole tenor of this ſpeech, which is unuſually long, that his majeſty and his miniſters imagined the ſucceſs and wiſdom of their conduct muſt have ſtopped the mouth of all oppoſition, and have ſatisfied the nation. It is certain, that the anti-miniſterial party, during the receſs of parliament, had repeatedly affirmed, both in their converſation and writings, that don Carlos never could be quietly ſettled, that the nation was upon the eve of a war with France, and that the negotiations with the emperor muſt prove abortive, or detrimental to Great Britain. They were miſtaken in all thoſe conjectures, but their oppoſition continued as ſtrong as ever; though they had, ſince the laſt ſeſſion, received a great blow by the death of Mr. Daniel Pulteny.

Conjectures refuted.

Addreſs moved for.

The motion for an addreſs in the houſe of commons was made by [a] lord Tyrconnel, an uncouth ſpeaker, and was ſeconded by Mr. Clutterbuck, a man of ſome conſideration for his parts and experience in buſineſs; and both of them expatiated on the ſucceſs and wiſdom of his majeſty's meaſures in procuring, without bloodſhed, the ſettlement of don Carlos in Italy, and a laſting peace to Great Britain. The oppoſition was at ſome loſs to diſpute thoſe propoſitions, or to deny the merit that was due to the miniſtry, after ſo often foretelling the impoſſibility of their ſucceeding. They therefore inſiſted upon the continuance of the Spaniſh depredations without any ſatisfaction, upon the want of information with regard to the nature of the treaties, which had not yet been laid before the houſe, and therefore it was abſurd to approve of them. Mr. William Pulteny thought, "that the guaranty of the pragmatic ſanction by Great Britain, had been delayed too long; and he was afraid, that France would accuſe the miniſtry of a breach of good faith, in concluding the ſecond treaty of Vienna without her participation." Sir William Wyndham affected to ridicule the miniſtry for the inconſiſtency of their negotiations; and praiſed the Imperial

Debates upon it.

[a] See the journals of the houſe of commons. The Hiſtorical Regiſter ſays, by miſtake, lord Harvey.

court, which, by its wiſdom and ſteadineſs, had compaſſed its own ends. Mr. Oglethorp thought, "that the guaranty of the pragmatic ſanction did not concern the nation near ſo much as did the obtaining reparation for, and a diſcontinuance of the Spaniſh depredations; the demolition of Dunkirk, and putting the militia upon a footing to be more uſeful to the nation in caſe of an invaſion. He mentioned the hardſhips that the proteſtants of Germany laboured under from the houſe of Auſtria; and hoped, that before the Dutch acceded to the ſecond treaty of Vienna, ſuch explanations and conceſſions would be made by the emperor, as ſhould ſecure the future quiet of Europe. Geo. II. 1731-32.

The debate was long and ſharp, and ſome perſonalities paſt in it which does not belong to hiſtory to record. Mr. Pelham, in anſwer, ſpoke for the general decency of returning his majeſty thanks for the aſſurances he had given them, which they were bound to believe to be true, till they could otherwiſe be convinced; and then they would be at liberty to diſapprove, notwithſtanding any reſolution they came to as to the addreſs. He ſaid, "that the Spaniſh depredations were matters of a quite different conſideration; that his majeſty had done all in his power to have them diſcontinued; and that he had ſo far ſucceeded, as to prevail with the court of Spain to write in very expreſs terms to their governors in America for that purpoſe; and as to reparation, that could only be done in the method his majeſty was then purſuing by commiſſaries, who are to adjuſt the validity of the claims, and the quantum of the loſſes." Mr. Horace Walpole, in a long ſpeech, juſtified every ſtep the miniſtry had taken. He ſhewed, that they could not, with any conſiſtency with the national honour and intereſt, have ſooner guarantied the pragmatic ſanction; becauſe they were not ſure but the emperor deſigned don Carlos for his ſon-in law; which, conſidering his near relation to the crown of Spain, and the great dominions he was to poſſeſs in Italy, and many other circumſtances, might have proved fatal to the repoſe of Europe. He denied there being any coldneſs between the two courts of London and Verſailles; and ſaid, that had the former guarantied the pragmatic ſanction ſooner, don Carlos might have found invincible obſtacles to his ſettlement; and that, in all probability, neither the Dutch nor Great Britain could have prevailed with the emperor to have given up the Oſtend company, or to do them juſtice in other reſpects. Mr. Pelham ſpeaks, and Mr. Walpole.

At

Geo. II. 1731-32.

At laſt, the motion for an addreſs was carried without any diviſion, and a committee named to draw it up, which they did in more general terms than thoſe of the motion contained. In the houſe of peers the debates and the addreſs were pretty much upon the ſame facts and principles as thoſe in the houſe of commons.

Agreed to without dividing.

Penſion bill revived.

The commons then proceeded to call for the ordinary accounts and eſtimates, which were all laid before them, and the uſual votes for a ſupply paſt. But nothing extraordinary happened, till the 25th of January; when Mr. Sandys moved again for leave to bring in the penſion bill. His motion met with no oppoſition, and the bill was ordered to be printed.

Addreſs about the army moved for,

Previous to the report of the committee of ſupply in the houſe of commons, Mr. Pulteny moved to addreſs his majeſty for an account of what commiſſions in the army and governments of gariſons have been kept vacant, and what ſavings have been made thereupon.

This motion was known to be levelled at ſome indulgences the miniſter had lately procured for his friends in the army; but after debating upon it for ſome time, the friends of the motion could not make it appear that any ſum worth mentioning had been ſaved in that manner; and that military commiſſions of all kinds were generally filled up as ſoon as the death of the officer was certified at the war office; but that if by great chance a commiſſion ſhould not be immediately filled up, his majeſty generally beſtowed the ſavings of the pay upon ſome officer whoſe expences perhaps exceeded his income, or upon the ſucceſſor, in order to enable him to pay the expences of taking out his commiſſion. Upon this the motion was dropt without any diviſion.

but dropt.

Affairs with France.

Whatever good face the miniſtry put upon their ſituation with regard to France, it is more than probable that the French court was not a little nettled at the late meaſures which had been ſo happily purſued, and at their being excluded from all ſhare of the negotiations that had brought them about. They had even ordered ſome troops to move towards the coaſts of Britanny, and thoſe neareſt to England, which had occaſioned ſome motions of our army towards the counties the moſt oppoſite to their coaſts. The diſſaffected party had exulted at this; and a petition to the magiſtracy of the city of London to erect an equeſtrian ſtatue in honour of king William, had met with very indifferent treatment, and was rejected with ſome ſigns of contempt for thoſe who had preſented it.

Though

Though theſe, together with the uncertain diſpoſitions of the northern courts, were not the true, yet they were the avowed, reaſons why Sir William Stricland, ſecretary at war, in the committee of ſupply, moved for 17,709 land forces for the ſervice of the current year. He was oppoſed by Mr. (afterwards Sir) Watkins William Wynn, who moved, that the army ſhould be reduced to 12,000. In ſupport of the firſt motion, ſir William Young and lord Harvey endeavoured to ſhew, that ever ſince the revolution, the government never had reduced its forces without having cauſe to repent it, by the encouragement which ſuch reductions gave to their foreign and domeſtic enemies. Great ſtreſs was laid upon the wiſdom of his majeſty, and his tenderneſs for the liberties of his people, together with the jealouſy of parliament, which never would ſuffer a parliamentary army to ſubvert either the freedom or the property of the ſubject. Lord Harvey, towards the cloſe of his ſpeech, gave ſome advantage againſt himſelf, by naming the great number of ſeditious writings which flew about, as one reaſon for keeping up ſo conſiderable a number of troops; for Mr. Plummer replied, "that if ſcriblers gave the government uneaſineſs, they ought to employ ſcriblers, and not ſoldiers, to defend them from the danger." Sir William Wyndham, after a laboured recapitulation of what had happened under king William, denied that the reduction of the army was the reaſon why he was obliged to agree to the partition treaty, which ſir William Young had affirmed to be the caſe. He extolled the native bravery of the Britiſh nation, which was able to defend itſelf againſt all invaſions, without having recourſe to a ſtanding army. He denied there was a ſpirit of diſſatisfaction in the kingdom, or that a parliamentary army was leſs dangerous to the conſtitution than any other; for if it continued to be kept up from year to year, it became to all intents and purpoſes a ſtanding army, and was big with all the evils that were to be dreaded from a ſtanding army. He ſaid, "that the people might, in the end, be driven into the deſperate reſource of fighting for their liberties, even againſt parliament;" but, concluded he, "Woe to thoſe men who adviſe ſuch meaſures as may produce ſuch fatal effects! I wiſh that neither God nor man may ever pardon the authors of ſo much miſery." Mr. Pelham took hold of thoſe laſt words, and, "I join," ſaid he, "moſt ſincerely with the honourable member in wiſhing that neither God nor man may ever forgive thoſe who have been, or ſhall be, the occaſion of our being obliged to fight for our liberties; the caſe has happened, we

Geo. II. 1731-32.

Land forces moved for.

Mr. Wynn.

Great debates upon the ſame.

Lord Harvey.

Mr. Plummer.

Sir William Wyndham.

Mr. Pelham.

Geo. II. 1731-32.

we have been, and that within theſe twenty years, obliged to fight for our liberties, and all that can or ought to be dear to us; and notwithſtanding all that, many of thoſe who had been principally the occaſion thereof, have been forgiven; I mean, ſir, by man at leaſt[a]." Though this language was parliamentary, yet ſome thought it a little too perſonal upon ſir William; but it met with great applauſe by the majority of the houſe, who were old enough to remember what had happened the latter part of queen Anne's, and the beginning of king George's reign.

Alderman Barnard.

Alderman Barnard, who ſpoke likewiſe againſt the motion, vindicated the city of London, in refuſing to erect the ſtatue of king William, which, he ſaid, "did not proceed from any diſaffection to the government, or diſlike of the revolution, but from reaſons that were unconnected with all political conſiderations, and were approved of by the generality of the citizens of London, who were known not to be jacobites."

Nothing farther was now urged, though a vaſt deal was ſaid upon both ſides. All the invidious parallels from antient and modern hiſtory were muſtered up. The Roman armies, who had ſubverted the liberties of their country, were mentioned, together with Cromwell's army, and that of king James. On the ſide of the court, it was ſaid, "the caſes were not at all alike; becauſe the preſent army was kept on foot by the parliament, but that the armies, who had formerly ſubverted the conſtitution of England, had been kept on foot againſt the conſent of parliament." It was replied to this, "that the very army, which deſtroyed the conſtitution under Oliver Cromwell, was originally a parliamentary army, nay, more ſo than the preſent, becauſe it was raiſed at firſt to defend the parliament againſt the king; but that it turned againſt the parliament as much as againſt the king, as ſoon as their leaders found that the parliament wanted to force them into its meaſures, and then to diſband them."

Sir Robert Walpole's ſpeech.

In anſwer to all this, ſir Robert Walpole, who diſtinguiſhed himſelf in this debate, ſaid, "That there could be no danger of that ſort from the preſent army, who were commanded by men, whoſe properties were too conſiderable to ſuffer them to join, or to head any attempt againſt the parliament or the civil conſtitution of their country." He then proceeded to ſhow, "that all the arguments drawn from paſt

[a] Mr. Pelham ended his ſpeech here. What follows as his in the Hiſtorical Regiſter, was ſpoken by another gentleman.

times

times againſt a regular military force, were meer declamation and fallacious, becauſe of the vaſt alterations which had been introduced into the civil ſyſtem of Great Britain, and of all Europe. That England is now a nation of commerce, and cannot ſpare from her trade and manufactures a number of men that would be ſufficient to defend her as a militia, were ſhe attacked by regular troops, great armies of which are now kept on foot by all her neighbours. The keeping up the number of troops was not only dictated by prudence, but, if the thing was fairly ſtated, by œconomy likewiſe. He inſiſted ſtrongly upon the danger the nation would be in from jacobites and diſaffected perſons, in caſe the army ſhould be reduced; and he concluded with a little anecdote [a], to prove, that the papiſts and jacobites were then, and always have been, the moſt forward in the cry for the reduction of the army." Geo. II. 1731-32.

As the public is now fully apprized and convinced of the neceſſity that there ſhould always be in this country upwards of 20,000 men, even in time of peace, even though the militia ſhould be diſciplined, and as the advocates againſt a ſtanding army at the time we treat of, are now hearty converts to that opinion, it will be needleſs to repeat the ſpecious arguments made uſe of againſt the motion, and which experience has ſince ſo well refuted. But as debates in parliament form the moſt conſiderable part of the hiſtory of that time, and as this upon the army was a ſtanding and an anniverſary debate, we have given the reader ſome Reflection on the debate.

[a] I muſt, ſir, upon this occaſion, acquaint you with a ſtory, that happened to me this day. Some bills having been lately ſent over from Ireland, for his majeſty's approbation, and amongſt them, one againſt the papiſts of that kingdom; counſel were admitted to be heard, for and againſt the bill: in the arguing of this matter, it happened that the counſel for the papiſts had occaſion to refer to the articles of Limerick, and therefore wanted them to be read; but there being no copy of them, but at the council-board, their ſollicitor, who was a papiſt, pulled a little book out of his pocket, and from thence read the articles: I ſuppoſed, that this little book was his vade mecum, and therefore I deſired to look upon it, and found that it contained thoſe articles of Limerick, the French king's declaration againſt the ſtates of Holland in 1701, and three arguments againſt a ſtanding army; from whence I concluded, that this ſollicitor was a notable holder-forth in coffee-houſes, againſt the pernicious conſequences of a ſtanding army, and I do not doubt, but that if he was a member of this houſe, he would be one of the keeneſt amongſt us againſt the preſent queſtion.

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Geo. II. 1731-32.

idea of it, that we may be the leſs obliged to repeat it, unleſs when ſome new arguments preſent themſelves. Upon the queſtion being put, the motion was agreed to, upon a diviſion, by a majority of 241 againſt 171.

Farther debate on the ſame.

This debate was not finiſhed in the committee, where there generally is leſs decency than in the houſe, without great hurry and confuſion; and when the reſolutions for keeping up the number of men, and for paying them, were reported to the houſe by ſir Charles Turner, chairman of the committee of ſupply, Mr. Plummer, and ſeveral other gentlemen in the oppoſition, complained of the expence and hardſhips the public were under, in maintaining, at the government allowance, ſuch a number of men, together with the vaſt power, which the quartering them, threw into the hands of a miniſter, who might, if he pleaſed, ſend whole regiments of them to eat up the eſtates of any man, whom he took umbrage at for not voting with him in the houſe.

Mr. Plummer.

Sir William Stricland.

Mr. Pelham.

Sir William Stricland, the then preſent, and Mr. Pelham, the late ſecretary at war, ſolemnly diſclaimed all knowledge of any ſuch abuſes in the quartering of ſoldiers. "During the whole time that I was in that office, ſaid the latter, there never was any ſuch complaint made to me, but that I immediately ordered relief to the perſons who thought themſelves aggrieved, or gave them ſuch reaſons, why I could not give them relief, as they ſeemed to be ſatisfied with. In ſuch caſes, I never had any reſpect to perſons; ſo far otherwiſe, that I have often given relief, at the deſire of thoſe with whom I never did vote in this houſe, nor, I believe, ever ſhall, and have ordered thoſe very troops to be ſent and quartered upon thoſe with whom I have always agreed in opinion."

Debate continued.

Theſe words being delivered with that irreſiſtible candor, that ſo juſtly won belief to the ſpeaker on all occaſions, quieted the houſe, which at firſt ſeemed to be in ſome ferment, on account of the charge. But Mr. Plummer ſtill inſiſted upon the burthen which the army was to the innkeepers, who, he ſaid, paid in fact, near as much to the army, as the government did.

Mr. Pulteney.

Mr. Pulteney very truly added, "that the reaſon why a Britiſh army coſts the public more than any foreign army coſts their ſovereign, was, becauſe of the great number of officers, and the ſmall number of private men it contained. He ſaid, that 60,000 men might be maintained in Germany, for the ſame money that maintained 18,000 in Great Britain; and that he had been informed, that the 12,000 Heſſians

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in the government's pay, were maintained for much leſs than they coſt the nation yearly." Geo. II. 1731-32.

Sir Robert Walpole, whoſe chief talent did not lie in his knowledge of foreign affairs, thought that this aſſertion (though it was ſtrictly true) ſtruck at him, as if ſome part of the money went into his pocket, ſaid, with ſome warmth, "That the information, whoever gave it, was falſe: that the preſent pay of the Heſſians in the ſervice of Great Britain, was the ſame it always had been in the late war, and that the money, which the houſe had allowed them, had been duly and punctually paid." Sir Robert Walpole.

The next who ſpoke was general Wade. This gentleman, from having ſeen ſome ſervice abroad, was now in a fair way of being at the head of his profeſſion, and his riſe from a very mean original was owing more to courtly, than military, qualifications. He was naturally generous, and, though not void of underſtanding, was extremely bigotted to his own notions, and a very aukward ſpeaker. He endeavoured, from what he had met with in Italy, to account for the ſplendid manner general officers are enabled to live in abroad, and which was ſo oppreſſive to the people, that it could not be ſuffered in this or any free country. Though he meant this as an apology for the miniſter, yet it rather turned out to his diſadvantage in the debate, ſince it ſhewed, that the Heſſians might be maintained at a much cheaper rate. Sir William Wyndham endeavoured after this to ſhew, "that the expence of the army was much greater than it had been formerly." He was anſwered by ſir William Yonge, "that every mean of living was now more expenſive than it had been during king William's or queen Anne's wars;" and the queſtion was carried without a diviſion. Character of general Wade.

The miniſter, at this time, ſenſible of the acrimony with which all his meaſures, both at home and abroad, were repreſented, was reſolved to make an eſſay towards recovering his popularity, with the landed intereſt of England. This was no other than to give ſome eaſe to them, by reviving the duty upon ſalt; and the houſe being that day reſolved into a committee of the whole houſe, ſir Robert Walpole ſaid, "That in raiſing the ſupply granted, his majeſty's inclinations were, that the burthen ſhould fall as equally as poſſible upon his ſubjects. That it had long reſted upon the gentlemen of the landed intereſt, and that as no tax could be more general than that upon ſalt, and ſcarcely felt by individuals, be they ever ſo poor, whereas the land-tax has laſted theſe forty years, and affects the landholders only; Revival of the ſalt-duty propoſed. Sir Robert Walpole's ſpeech in ſupport of the ſame.

Geo. II. 1731-32. he therefore moved, "that towards raiſing the ſupply granted to his majeſty, the ſeveral duties on home-made ſalt granted to the late king William and queen Mary, by an act of the 5th and 6th years of their reign, for a term of years, and afterwards made perpetual; and alſo the additional duties on ſalt, granted by an act of the 9th and 10th years of king William, which, by an act of the 3d year of his preſent majeſty's reign, ceaſed and determined on the 25th day of December 1730, be revived and granted to his majeſty, his heirs and ſucceſſors, for the term of three years, from the 25th of March next."

In ſupport of the motion, he ſaid, "that he hoped that next year the land-tax might be reduced to one ſhilling in the pound; and he obſerved, how hard it bore upon many antient Engliſh families, who had many children, and but ſmall eſtates to ſupport them; but that reducing the land-tax might reſtore them to their antient hoſpitality and figure in their ſeveral counties, both which were now, by the preſſure of the land-tax, greatly reduced."

Anſwered by Mr. Plumer.

This ſpeech, though extremely plauſible, had not all the effect which the author of it ſeemed to expect. Mr. Plumer, in very ſtrong ſenſible terms, endeavoured to ſhew, "that the cauſes for taking off the ſalt-duty in 1730, were ſuch, as muſt always exiſt againſt ever reviving it; becauſe, it was very juſtly deemed to be the tax, that of all others, was moſt burthenſome to the poor, and the moſt pernicious to the trade of the kingdom. He ſaid, the character of being a right tax, was wanting in this; for ſo far from taxing the luxuries of life, it taxed its moſt ordinary neceſſities. That the motion, if complied with, tended to diſtreſs the landed gentlemen more than the land-tax itſelf does; becauſe, by diſabling manufacturers from carrying on their trade, it diſabled tenants from paying their rents; and that it was beſides, highly impolitical, ſince the revival of it might alienate the affections of the people from his majeſty.

"I only deſire, continued he, that every landed gentleman that hears me, would conſider, what he could make of his eſtate, if we had no trade, no manufactures, nor any number of populous trading towns in England. Who would be ſuch a fool, as to deſire to be relieved of one ſhilling in the pound upon the land-tax, when he muſt pay as much in another way, viz. for the ſalt made uſe of in his family; and when at the ſame time he diminiſhes the yearly income of his eſtate, much more than one ſhilling in the pound, nay, much more than any land-tax ever amounted to in England. The land-

land-tax is but an annual diminution of a gentleman's eſtate, he may be free of it, or a part of it, the ſucceeding year: but if, by the decay of our trade, and the charge that is laid upon the poor farmer, he be obliged to lower the rents of his eſtate, that will be a diminution, which, I am afraid, will endure for ever." Geo. II. 1731-32.

Such were the arguments againſt reviving this tax, which had ſubſiſted for thirty-four years, without the leaſt complaint of grievance upon the people. But the meaſure was the miniſter's, and an oppoſition was cooked up both within and without doors, as if it had been big with the impending ruin of the landed intereſt all over England. Violent complaints were made upon the expence, trouble, and danger, of collecting the ſalt duties, all which were anſwered, and ſolidly refuted, by the miniſter. He made it appear, that the land-tax coſt in collecting about 18,000 l. a year, and that the propoſed duty might be collected for 22,000 l. Oppoſition to the reviving of the ſalt-duty.

Another objection made to the bill, was, the prejudice, which the reviving the duty would occaſion to the commerce of England; but the miniſter very properly obſerved, that during the thirty-four years while the duty ſubſiſted, the commerce and trade of England had made an amazing progreſs, far beyond whatever had been before: and that the victualling ſhips at Corke, to avoid paying the duty on ſalt in England, was, in fact, ſo far from being a prejudice, that it was a benefit to this country.

The oppoſition went ſo far, as to alledge, that the reviver of the duty would injure agriculture, becauſe of the great quantities of ſalt made uſe of in the improvement of lands; and would be diſcontinued, ſhould the duty be revived. This objection was founded, as the miniſter proved, upon a falſe fact, becauſe that ſpecies of the commodity, which was proper for manure, might be had in any quantity, free from duty.

The oppoſition pretended to ſay, that this being a new tax [a], the Scots were obliged to bear a proportionable ſhare of it; Caſe of Scotland.

[a] The ſalt-duty now propoſed to be revived, was granted at two ſeveral times; one was for but 1s. per buſhel, the other was for 2s. 4d. per buſhel. At the time of making the union, the Scotch commiſſioners were willing that their country ſhould, after a certain term of years, be ſubject to the 1s. per buſhel; but they declared, that their people could not poſſibly afford to pay the additional 2s. 4d. and therefore, they inſiſted upon their being free from it for ever, which, on our ſide, was agreed to. The

Geo. II. 1731-32. it; but this argument was so well answered by the minister, that it fell to the ground. In short, never was there a more vigorous opposition upon such slight grounds to any measure, as was made to this; the debates were long, and animated; and the first division carried it in favour of the motion, by a majority of 225 against 187. Many other divisions afterwards happened upon the same subject, upon exemptions moved for by the opposition to the bill, which, if they had passed, must have rendered the duty next to nothing. It was the 21st of March before it was read a third time, and then it passed, by a majority of 207 against 135.

Divisions.

Protests upon the bill. When the bill came up to the house of lords, it met with the same opposition there, as it did from the commons. The same motions to defeat it were made, and protests entered upon every one of them, by about 18 or 20 peers; but at last, upon the 31st of March, it passed both houses.

The reader may remember, that in the last session, several petitions were offered in the house of commons against the charitable corporation. It now became a very serious affair; for their capital was now enlarged by a royal licence to about 600,000 l. George Robinson, member of parliament for Marlow, was their cashier, and having a statute of bankruptcy issued against him, he disappeared, as did likewise one Thompson, who was the warehouse-keeper. It was soon found out, upon enquiry, that a most pernicious, though incomprehensible piece of villainy, had been carried on. In short, 30,000 l. was all that could be discovered, to answer for a capital of 500,000 l. It does not belong to this history to trace this black affair through all the particularities that did attend it; it is sufficient to say, that in pursuance of the enquiry set on foot by the committee of the house of commons, upon a petition presented to them by the proprietors for relief, it

State of the charitable corporation.

act of the 9th and 10th of king William had imposed this duty of 2s. 4d. for ever, and therefore that article of the union, relating to this duty upon salt, was drawn up in these terms: That the Scots should be exempted for seven years, from all duties whatever, on home-made salt: after which, they were to pay the duties levied in England, with this exemption, and in these express words; That Scotland shall, after the said seven years, remain exempted from the duty of 2s. 4d. imposed on home-made salt, by an act made in England in the 9th and 10th years of king William the IIId. of England. Can there be any thing more express than this? By the act therein mentioned, the duty was expressly to continue to be levied in England for ever.

5 appeared,

appeared, that sir Robert Sutton, a member of the house, and knight of the bath, one of his majesty's most honourable privy-council, had been guilty, as one of the committee for managing the affairs of the charitable corporation, of promoting, abetting, and carrying on, several indirect and fraudulent practices, for which, he was expelled the house. Geo. II. 1731-32. Directors expelled the house of commons.

Nothing but the notoriety of the thing could have brought so severe a censure upon a gentleman, who, like sir Robert Sutton, had been distinguished by some of the eminent employments in the state, was amiable in his private character, and happy in his connections, his friends, his family, and fortune; even his enemies were privately of opinion, that indolence and inadvertency were the chief causes of his misconduct. Character of sir Robert Sutton.

The censure against sir Archibald Grant, another member of the house, was somewhat more harsh; for he was found guilty of having been concerned in copartnerships, in which the cash of the corporation had been employed, and great sums lost and embezzled; and of having been principally concerned in promoting, abetting, and carrying on, many other indirect and fraudulent practices in the management of the affairs of the said corporation.

Besides those two gentlemen, Denis Bond, and William Burroughs, esquires, Mr. George Jackson, Mr. Benjamin Robinson, Richard Wooley, and Thomas Warren, were found principally concerned in these frauds; and a bill was brought into the house, to restrain all of them from going out of the kingdom for one year, or to alienate their effects, and to oblige them to discover the same.

While this bill was depending, Mr. Sandys, chairman of the committee, acquainted the house, that sir Robert Sutton had told him, that he had received a letter from one Mr. Arbuthnot, a correspondent of his, at Paris, in which was inclosed a letter, from signior Belloni, a banker at Rome, directed to the committee of the charitable corporation, or in case the committee did not subsist, to sir Robert Sutton and others, informing, that Belloni had procured John Thompson, late warehouse-keeper to the charitable corporation, to be arrested and secured in the castle of St. Angelo at Rome. Letter from Belloni, the banker, at Rome, about the charitable corporation.

That the whole of this contrivance was a low artifice of the Jacobites, appeared not only from the whole complexion of its conduct, but by the character of the persons employed to manage it. Arbuthnot, the banker, was an avowed jacobite. Sir Robert Sutton applied, in order to clear himself of Account of the letter, and management in procuring it.

Geo. II. 1731-32. all ſuſpicion of being concerned with Thompſon, to doctor Arbuthnot, the banker's brother, who, at his requeſt, prevailed with the banker to write to Belloni, who was well known to be the pretender's banker and agent at Rome (as Arbuthnot was at Paris) to get Thompſon ſecured. Belloni and Arbuthnot were the more pleaſed with this commiſſion, becauſe they were in hopes to manage it ſo, as to make the arreſt of Belloni ſeem to be owing to the pretender's zeal for having juſtice done to the Engliſh nation.

Conduct of Thompſon, impriſoned at Rome.

The whole, however, was managed with great tenderneſs, and even favour, to Thompſon; for though he had pretended to make a full diſcovery of all his effects, and even gave orders for delivering them up, yet theſe orders and all the papers he had executed, were to remain in Arbuthnot the banker's hands, till ſuch time as the houſe of commons or the charitable corporation ſhould agree to the propoſals of Thompſon, who, by this time, was, together with Robinſon the caſhier, adjudged by act of parliament, to be guilty of felony. Beſides this, the propoſals of Thompſon, though complied with, would have been of very little ſervice to the corporation. But the ſtrain of the letter from Belloni to the committee, left no manner of room to doubt, that the whole was a contrivance of the pretender and his adherents. The parliament eaſily ſaw through this, and both houſes having held a conference, it was adjudged, nemine contradicente,

The letter cenſured by both houſes of parliament.

"that Belloni's letter is an inſolent and audacious libel, attempting, by falſe and inſidious inſinuations, to impoſe upon the parliament and Britiſh nation; and by ſpecious pretences and profeſſions of eſteem, affection, and compaſſion, to amuſe the unhappy ſufferers of the charitable corporation, with vain and deceitful hopes of relief; that the ſaid paper is in itſelf, abſurd and contradictory, conceived at the beginning in terms, and in the ſtile, of power and authority, or as proceeding from ſome extraordinary intereſt and influence, but concluding in the perſon and character of a private banker of Rome, offering, upon certain conditions, on the behalf of John Thompſon, to deliver certain books and papers of the ſaid Thompſon; the contents, value, and conſequence of which, are unknown, without any offer, to ſurrender the perſon of the ſaid Thompſon, although repreſented to have been arreſted and detained in ſafe cuſtody, from a ſenſe of the frauds committed by him, and a due regard to juſtice. The conditions demanded and inſiſted upon by, and in behalf of Thompſon, appearing at the ſame time to be looſe, evaſive and uncertain, tending to procure advantages

and

and indemnity to himſelf and his accomplices, without any intention or proſpect of benefit to the corporation; and that this whole tranſaction appears to be a ſcandalous artifice, calculated purely to delude the unhappy, and to diſguiſe and conceal the wicked practices of the profeſſed enemies to his majeſty's perſon, crown and dignity." It was then unanimouſly voted, that the ſaid infamous libel ſhould be burnt at the Royal Exchange, by the hand of the common hangman. Geo. II. 1731-32. and burnt.

Thus ended an affair, which notwithſtanding all the care and even earneſtneſs of the government, brought deſtruction upon thouſands of poor ſufferers. Being many of them of the loweſt rank, they gratified their revenge in murmuring againſt their ſuperiors; and they were not wanting in throwing out abuſe againſt the moſt venerable names in the nation, as being the authors of their calamities, or at leaſt ſharers in their ſpoils. But nothing could be more ridiculous, as well as unjuſt, than ſuch aſperſions, becauſe it was plain from the ſpirit with which the government (who could have cruſhed the proceedings) joined in proſecuting the offenders, that no perſons of the moſt exalted condition could have been concerned in the fraud; and if they had, they muſt have ſhared in the loſs; as it is certain that the eſtates of the two gentlemen who were on that account expelled the houſe of commons, were greatly injured, even independently of all proceedings againſt them, either legal or parliamentary. Add to this, that had Thompſon, the warehouſe-keeper, who muſt have been maſter of the ſecret, known of any ſuch practices, he would undoubtedly have made his court at Rome by diſcloſing them; nor, conſidering the ſevere examination the affairs and the books of the company met with, both within and without doors, can it be imagined they could have been concealed. Reflection.

Another, but a more daring bare-faced inſtance of the abuſe of parliamentary confidence, happened to be diſcovered this ſeſſion, by the unwearied application of lord Gage. He had, before he was made a nobleman, been a Roman catholic, which threw him into ſome connections with thoſe families. Certain commiſſioners were appointed to ſell the Engliſh eſtates forfeited by the rebellion of the year 1715, and among others the forfeited reverſion of one that had belonged to the Derwentwater family, which actually brought in near 8000 l. a year, and was improveable to 9000 l. The commiſſioners employed in the ſale of this reverſion were ſir John Eyles, ſir Thomas Hales, ſergeant Birch, and Dennis Bond, Caſe of the ſtate of lord Derwentwater's eſtate;

Geo. II. 1731-32.

Bond, eſq. Birch and Bond were men of buſineſs, knowing in the ways of life, and therefore in perſon attended all the tranſactions of the commiſſioners, of whom four were a quorum. The other two being really, or affecting to be, leſs converſant in the matters of the commiſſion, by an unaccountable and indeed criminal indolence, ſeldom attended the office upon buſineſs; but when they did not attend, they empowered one Allen, who was ſecretary to the commiſſioners, to ſign their names and affix their ſeals to all bargains, contracts, orders and other papers. By a particular management, this ſale was held in ſo clandeſtine a manner, though publicly advertiſed, that none appeared to bid but one Mr. Smith, who bought the reverſion at the eaſy rate of 1000 l. At the time of this ſale, the eldeſt ſon of the late earl of Derwentwater, who was but a ſtripling, was in a languiſhing ſtate of health; and he actually dying ſoon after, the eſtate came to Smith and his aſſociates, who had been concerned in the management of the ſale; becauſe Charles Ratcliffe, brother to the earl of Derwentwater, and next heir, was forfeited, and therefore could not enjoy.

enquired into by parliament; cenſured, and Birch and Bond expelled for mal-practices.

This event, however, opened both the eyes and mouths of the world; and by the indefatigable pains which lord Gage took, the whole myſtery of iniquity was traced through all its labyrinths. Birch and Bond, who were members, were expelled the houſe; ſir John Eyles was reprimanded by the ſpeaker; and lord Gage had the thanks of the houſe in a very elegant ſpeech from the chair; and the whole tranſaction was declared to be void, becauſe it appeared that only Bond and Birch were preſent, and the names of the other two commiſſioners were ſigned, and their ſeals affixed by Allen, or ſome inferior clerk of the commiſſioners.

Though thoſe were matters peculiar to the cognizance of the houſe of commons, yet the proceedings and the proteſts of the oppoſition in the houſe of peers made a great noiſe. The mutiny act met with a ſtrong oppoſition upon plauſible though moſt fallacious principles; one was, that the French king and government were very little diſpoſed to diſturb their neighbours, and that there was neither appearance nor danger of the ſpirit of jacobitiſm being ever revived in Great Britain. We have already taken notice of the other chief proceedings of both houſes. It is certain from the ſpecimens that have been given, that a remiſſneſs ſtill continued in ſeveral branches of the government; but, not near to ſuch a degree as happened through almoſt the whole reign of king William, when the chief members of both houſes were voted to be guilty

guilty of the meaneſt acts of bribery and corruption, and when daily miſcarriages both by ſea and land happened through the embezzelments made in the pay both of the fleet and army, by the loweſt as well as the higheſt officers belonging to both. The misfortune was, that at the times we now treat of, perſonal invectives upon the virtuous as well as blameable were very common; for on the 11th of February, ſome words happening between Mr. Pelham and Mr. Pulteny, a challenge enſued. Mr. Pulteny went out of the houſe, and the other was preparing to follow him; but ſome common friends of both acquainting the ſpeaker with the affair, the ſergeant at arms was ordered immediately to ſummon Mr. Pulteny to return to the ſervice of the houſe. And then it was ordered by the houſe, "that they be enjoined not to proſecute any quarrel, or ſhew any farther reſentment for what has paſſed between them in the houſe." Then the ſergeant at arms being returned, and Mr. Pulteny being come into the houſe, Mr. ſpeaker acquainted him with the information which the houſe had received in relation to himſelf and Mr. Pelham, and with the injunction of the houſe thereupon: after which they ſeverally ſtood up in their places, to explain themſelves; but not having given the houſe ſatisfaction as to their complying with the injunction, and it being inſiſted upon, that they ſhould be more explicit, they ſtood up again in their places, and ſeverally declared they would obey the order of the houſe.

Geo. II. 1731-32.

Quarrel between Mr. Pulteny and Mr. Pelham; reconciled.

An affair this year happened, which gave the oppoſition ſome colour of triumph, though they were defeated in the houſe, in the treaty concluded the 16th of April 1727, between their Britannic, moſt Chriſtian, and Daniſh majeſties. The French king refuſed to pay his ſubſidy of three hundred and fifty thouſand rix dollars in bank-money in Hamburgh in ſpecie, but inſiſted upon paying it in the current money of Denmark. His late majeſty looking upon this treaty as greatly advantageous to himſelf, was prevailed upon to empower the lord Glenorchy to give a declaration under his hand, that if his maſter could not prevail with the French king to pay the ſubſidies in Hamburgh money, he would, out of regard to the common cauſe and to his Daniſh majeſty, make up the agio or difference between the current money of Denmark and that of the bank of Hamburgh, and which in the ſpace of four years amounted to 58,667l. 0s 6d. of which 7,401l. 12s. 6d. had been paid out of the public ſupplies in the year 1727, and 28,571l. 0s. 6d. out of the produce of the deduction of ſixpence in the pound out of the

Caſe of the Daniſh agio ſtated.

pay

Geo. II. 1731-32. pay of the Heſſian forces; ſo that there remained to pay 22,694l. 7s. 6d. Though this debt was no ſecret, yet the oppoſition affected to be greatly ſurprized, when it came to be demanded of the houſe. Violent debates enſued, in which Mr. Pulteney greatly diſtinguiſhed himſelf; though it is certain, that conſidering the obligations which his late majeſty lay under to compleat the purpoſes of the treaty, even as king of England, the whole ſum was but inconſiderable. When the report came to be made from the committee of ſupply on the 4th of April, the ſum was allowed; and the oppoſition, to make the tranſaction as invidious as poſſible, inſiſted upon its being inſerted in the vote, that the money was granted to compleat the difference payable to the crown of Denmark "by the French king." The amendment however was rejected by a majority of 137 againſt 48.

Diviſion upon it.

Bill for diſarming the Highlanders of Scotland.

This ſeſſion, general Wade, who was about compleating the noble roads which the government had ordered to be made in the Highlands, brought in a bill for continuing the act for diſarming the Scotch Highlanders, and for the better ſecuring peace and quiet in that part of the kingdom. But, when this act came into the committee, great alterations were made in it; and when it was carried to the houſe of peers, it met with ſo ſtrong an oppoſition as it then ſtood, that it was returned to the commons with a great many other amendments. To one of which the commons diſagreed, which was, that any perſon wearing Highland cloaths, ſhould ſuffer impriſonment for ſix months, provided the party ſo offending was poſſeſſed of 15l. ſterling a year. This undoubtedly was a very queſtionable amendment, as true policy ſeemed to dictate, that if any came under the prohibition, it ought to be the lower part of the people. The lords however inſiſting upon their amendment, the bill was then dropped. Some efforts were likewiſe made this ſeſſion towards reſtoring the trade of the ſugar colonies in America; but they met with ſo ſtrong an oppoſition from the northern colonies, that they proved of little or no effect.

1732. Bill for encouraging the growth of coffee in America.

An act, however, paſſed upon a petition of the inhabitants of Jamaica, for encouraging the growth of coffee in his majeſty's plantations in America; nor do we find any one inſtance in which the miniſter was ever alledged to have abuſed his power in matters relating to the commerce, manufactures, or agriculture of the kingdom; all which were ſignally benefited by the acts which paſſed this ſeſſion. On the 1ſt of June his majeſty cloſed the ſeſſion with a moſt gracious ſpeech, in which are the following remarkable expreſſions.

Seſſion ends.

"It

"It is unneceſſary for me to repreſent to you the happy Geo. II.
"ſtate and ſituation of public affairs both at home and 1732.
"abroad; you muſt all be ſenſible of what is univerſally
"ſeen and felt in the full enjoyment of a general peace.
"The concurrence of the States General in the treaty of
"Vienna, has perfected the eſtabliſhment of the public tran-
"quillity as far as human prudence can foreſee or provide;
"and a faithful obſervance and execution of the treaties and
"alliances now ſubſiſting amongſt the ſeveral princes and
"powers in Europe, free from groundleſs jealouſies, and
"void of all ambitious views, will be the moſt effectual
"means to continue and preſerve theſe bleſſings to us." He then acquainted them, that the ſtate of affairs rendered it neceſſary for him that ſummer to viſit his German dominions, and that he had determined to leave the queen, regent.

State of affairs in the United Provinces.

The ſtate of affairs upon the continent this year, ſeemed in ſome meaſure to flatter his majeſty's agreeable proſpect. The States General had ſucceeded, and indeed it was a meaſure which the miniſtry of Great Britain purpoſely threw upon them to manage, in forwarding the propoſal of a marriage between the eldeſt archduchefs of Auſtria, and the duke of Lorrain; by which the indiviſibility of the Auſtrian dominions, the great object of the pragmatic ſanction, was ſecured without their being under any apprehenſions of the ballance of power being endangered by her marrying a more powerful prince. They had obtained a full and perpetual abolition of the Oſtend company; and all the diſputes with the emperor in Eaſt Frieſland had been adjuſted to their ſatisfaction.

In Germany.

The Imperial court ſeemed cordially to return to its old ſyſtem with Great Britain; and though the guaranty of the pragmatic ſanction was pretended by ſome to violate the conſtitutions of the houſe of Auſtria and the empire, and was oppoſed by the electors of Saxony, Bavaria, and the Palatine, yet it was guarantied to the emperor, chiefly, through the influence of Great Britain. A moſt dreadful perſecution of the proteſtants at this time raged in the biſhopric of Saltzburg, in contravention of the treaty of Weſtphalia, which the biſhop of Saltzburg endeavoured to juſtify, by charging his proteſtant ſubjects with facts that amounted to little more than ignorance and intemperate zeal. The cruelties and hardſhips they underwent, produced a letter from the proteſtant miniſters in the diet of Ratiſbon to the emperor, which refuted moſt of the facts alledged by the biſhop to juſtify his cruelties; and very plainly proved, that he could not, by the

treaty

Geo. II. 1732. treaty of Weſtphalia, refuſe them liberty to go out of the dioceſe as they ſhould ſee occaſion. Notwithſtanding this letter, the biſhop continued his cruelties againſt his proteſtant ſubjects, till his Britannic majeſty intereſted himſelf ſo far in their favour with the emperor, as to interpoſe his authority in behalf of the treaty of Weſtphalia: this is the more extraordinary, as the family of Auſtria had always been remarkable for oppreſſing the proteſtants in Germany; and the biſhop, before this interpoſition, had made uſe of the emperor's forces to reduce his proteſtant ſubjects to the miſerable condition before-mentioned.

in France. The French, it is true, ſtill affected to reſent the conduct and concluſion of the ſecond treaty of Vienna; but their reſentment went no farther than words: their miniſtry, directed by cardinal Fleury, was, if poſſible, more pacifically inclined than that of Great Britain. That miniſter's care, indeed, was to extend and improve the commerce of his country, but he was ignorant of the true principles of trade; and while he promoted commerce, he neglected the means of protecting it; for under him, the navy of France went to decay.

Caſe of the religious differences there. The religious differences in that kingdom ſtill continued to rage to a degree, that in almoſt any other country muſt have been fatal either to the king or to the people. The diſpute about the acceptance of the bull Unigenitus, was what men of ſenſe, of which there were many in the parliament of Paris and the other parliaments of France, never could have given attention to, conſidering the equally groſs abſurdities in other parts of their religion; but it became important, in order to know whether there exiſted ſuch an object in France as a conſtitution that was independent upon the perſonal power of the king. This was the true occaſion of the differences between the parliaments and the king of France. The king thought, that his power was perſonal, or ſignoral, and was independent of all conſtitutions but what his pleaſure ſhould preſcribe. The parliament, without ſeeming to diſpute that, acted as if their king, by throwing himſelf into the power of the church of Rome, would in fact deſtroy his ſovereignty; and therefore they pleaded their oaths, that they had ſo often taken to be true ſubjects of France, and true adminiſtrators of juſtice, as their motives, by being the only friends of the ſovereign authority. But all the remonſtrances they made, and all the courage they ſhewed on that head, ſerved only to make cardinal Fleury, and the other tools of the church of Rome, the more tenacious of the king's perſonal

nal right to govern his ſubjects according to the words that iſſued from his mouth, or the dictates drawn up by his miniſters. He repeated again and again his expreſs prohibitions of their preſenting remonſtrances upon what he had ordered; and they as often found means not only to evade, but break them, under the appearance of moſt reſigned ſubmiſſion to his will. They pretended to no right of legiſlature in themſelves, "which they always acknowledged to be eſſentially veſted in the perſon of the ſovereign; but they inſiſted, that they had a right to defend his prerogative, which was a ſacred depoſite in their hands." This was ſpeaking the true ſenſe of liberty under a monarchical government; but they had not ſpirit to ſupport it, otherwiſe than by repeating their remonſtrances, and by idly ſubmitting to baniſhments and other puniſhments, as ſoon as their perſeverance had brought upon them the extreme diſpleaſure of the court. Geo. II. 1732.

The court, on the other hand, was equally timid and inconſiſtent in its conduct; for it was as far from putting its threats into execution, as the parliaments were from carrying their ſubmiſſions into practice. Bluſtering words and baniſhment, formed all the puniſhment inflicted upon the moſt refractory members; and it was a puniſhment that ſerved only to encreaſe their popularity, being always attended, through every ſcene of diſtreſs, by the acclamations of the people, as the guardians of that liberty which they had long loſt, and of which they had no other idea but what they found in the hiſtory of the conduct of the parliament of England; though nothing could be conceived more diſſimilar than the conſtitutions of the two countries.

Miniſtry of cardinal Fleury.

This general view of the ſtate of France is diſplayed before the reader only to exhibit the reaſons, which, together with cardinal Fleury's miſapprehenſion of the nature of trade, occaſioned her to be ſo tame as ſhe was at this conjuncture. Notwithſtanding all that was pretended by the oppoſition, nothing is more certain than that the cardinal was in every reſpect more the dupe of the Engliſh miniſtry than they were of him. If France, at this period, profited by peace, England profited more. The conteſts between the parliament and the court of France, diverted the attention of the court from what ought to have been their principal object, the encreaſe and ſupport of their maritime force; while England, in carrying on trade, maintained a navy to protect it. England, through the moderation and lenity of her government, was free from all religious diſputes that could diſturb the quiet of the public; while France was rent with them

to

Geo. II. 1732. to ſuch a degree, that in order to unite her ſubjects in the defence of the king's honour, ſhe was obliged to plunge into wars, foreign to her intereſts, and doubtful in their event. In ſhort, at this time England had nothing to fear from France, though ſhe ſtill continued to be the bugbear of both parties. The miniſtry adopted her power as an argument for their keeping on foot a large body of troops; and the oppoſition magnified her progreſs in every art that could conduce to ruin Britain and enſlave Europe.

Affairs of Spain. The court of Spain having compaſſed its favourite point of ſettling don Carlos in Italy, now meditated an expedition pointed out by the genius of the nation more than by the intereſt of the country. It was directed againſt Oran, a town of ſome conſequence, which lies oppoſite to Carthagena in Spain, and which the Spaniards, after poſſeſſing it for 200 years, loſt to the Infidels in the year 1708, at a time when the Spaniſh monarchy was too much diſtracted by a diſputed ſucceſſion to ſend it ſuccours. Being now ſecure both at home and abroad, the Spaniſh court thought their honour intereſted in recovering Oran from the Infidels; and a whole year was ſpent in equipping a moſt formidable fleet, on board of which they put 25,000 troops, who landing without moleſtation, ſtruck ſuch a pannic into the Infidels, that they abandoned Oran to the Spaniards: and the ſtrong caſtle of Mazalquivir in the neighbourhood, was likewiſe ſurrendered without firing a gun. The Moors, however, in a few days, recovering their ſpirits, and encouraged by the diſtempers which the change of climate and the violence of the heat had ſpread amongſt the Spaniards, attacked them in their turn, but were defeated by the count de Montemar, the Spaniſh general. He, however, found that the country was untenable by his troops; and after putting garriſons into Oran and Mazalquiver, he re-embarked, with very little loſs but what was occaſioned by the heats and diſtempers of the climate.

The event of this expedition, which happened almoſt as ſoon as its deſtination was known in England, calmed the ferment which the preparations for it had occaſioned all over Europe.

Italy. Little elſe material to the affairs of England, happened at this time in the ſouthern parts of Europe. The new pope acquired great popularity by his ſevere proſecution of cardinal Coſcia, and the other bloodſuckers who had oppreſſed the people under his predeceſſor; and he regained the court of Portugal, which ſeemed to threaten a revolt from his

his authority, by making ſignior Bichi a cardinal, and granting unuſual indulgencies and privileges to his Portugueſe majeſty. Geo. II. 1732.

We ſhall cloſe the review of the affairs of Europe this year with an intereſting event, that happened in Pruſſia, where the prince royal, nephew to his Britannic majeſty, had fallen under the diſpleaſure of his father. A coldneſs ſtill continued between the courts of Berlin and London, which prevented his Britannic majeſty from uſing that weight, which his relation to the prince royal, gave him a right to interpoſe. A reconciliation, however, being happily effected, it was attended by a double marriage; that of the princeſs royal of Pruſſia, with the hereditary prince of Bareith, and that of the prince royal of Pruſſia, with the princeſs of Bevern. The laſt marriage was, it ſeems, the price the prince royal was obliged to pay for his reconciliation with his father; and being founded upon views of intereſt, backed by power, muſt have been rendered void, had not the behaviour of the bride rendered her virtue amiable in the eyes of her huſband, whoſe eſteem ſhe won, and who afterwards voluntarily ſhared with her his royalty. and Pruſſia.

The private domeſtic occurrences of this year, are ſo unintereſting, that they are not worth mentioning; but a ferment, very dangerous to the miniſter, was now working in the nation. The debates about the revival of the ſalt-duty, and ſome ſurmiſes, that had taken riſe from the complaints which the officers of the revenue in general made of the collection of the duties upon wine and tobacco, two capital branches of the revenue, impreſſed the public with a notion, that either a general exciſe, or an exciſe upon thoſe two articles, was intended by the miniſter. Both he and his friends had been taxed in the houſe and elſewhere, with this intention, but they had rather evaded than denied the charge; nay, ſometimes they ſeemed to juſtify it. It is incredible, what a combuſtion this ſurmiſe raiſed in the nation, even before the miniſter had openly avowed his intention, which was, by the arts of his enemies, rendered ſo unpopular, that he never had a fair, that is, an unprejudiced opportunity, of explaining it. Heats in the nation about the exciſe ſcheme.

It falls within the province of hiſtory to put the reader in mind, that the firſt duties of exciſe in England, were impoſed upon beer, ale, cyder, perry, and other liquors, made at home, and ſet to ſale, and they were given to Charles the IId. as an equivalent for his giving up the court of wards, the purveyances, and other rights of the crown, which rendered Account of the original of exciſes in England.

Geo. II. dered it too powerful for the liberty of the ſubject, and had
1732. long been eye-ſores to the parliament and people of England.
As the crown had always before abſolutely rejected all propoſals of a commutation of this kind, and as the king could have no other ſecurity for the performance of the bargain, but the faith and honour of parliament, the latter, from time to time, piqued itſelf upon making the laws for collecting the exciſe ſo ſevere, that in many reſpects, they ſeemed to encroach upon private property and perſonal liberty. They, who had been puniſhed by them, thought themſelves injured, and their numbers were ſo great, as to render the clamour againſt them almoſt univerſal.

1733. Such were the diſpoſitions of the public with regard to
Parliament meets. exciſes in general, when the Britiſh parliament met on the 16th of January. His majeſty's ſpeech was ſhort and general, recommending "the raiſing the annual ſupplies in the leaſt burthenſome manner, and exhorting the members to avoid heats and animoſities, and not to ſuffer themſelves to be diverted by any ſpecious pretences, from ſtedfaſtly purſuing the true intereſt of their country."

Debates on the king's ſpeech. This ſpeech, however inoffenſive, and indeed, languid, it might appear, occaſioned great debates in the houſe of commons, where the motion for the addreſs was made by Mr. Bromley, afterwards lord Mountfort, member for the county of Cambridge. He was pitched upon for this purpoſe, as being the moſt unexceptionable friend the miniſter had in the houſe, becauſe he lay under no manner of obligation, either to him or to the court. As the motion was no other than the eccho of the ſpeech, ſir John Barnard, one of the repreſentatives of the city of London, found great fault with the above expreſſions, and in his ſpeech ſufficiently ſhewed, how well he and his conſtituents underſtood the ſcheme that was to be brought into the houſe, and how well they were prepared to defeat it. He then propoſed, that an amendment ſhould be added to the motion, expreſſing, that their manner of raiſing the ſupplies, ſhould be likewiſe "ſuch as ſhall be conſiſtent with the trade, intereſt, and liberty of the nation." He was ſeconded by Mr. Sandys; and Mr. Shippen moved for adding, "and ſuch as ſhall be conſiſtent with the the honour and juſtice of parliament;" and which was approved of by the other two members who had ſpoke before.

The motion agreed to. Sir Robert Walpole expreſſed a very juſt contempt for thoſe motions, by himſelf riſing to ſecond them; but in his ſpeech, he diſavowed all knowledge of any intention to injure the trade

trade of the kingdom, but dropped ſome intimations, as if very unfair methods had been practiſed, to make the people complain without any foundation. This charge was highly reſented by the oppoſition, and in language, which teſtified they were reſolved not to be pleaſed; for, when the queſtion for the amendment was carried without any diviſion, ſir Thomas Alſton ſtood up, and charged the miniſtry by the lump, "with tamely beholding the French re-fortifying Dunkirk, the Spaniards robbing the Engliſh ſhips, and with all the fraudulent ſchemes that had been practiſed by the charitable corporation, and elſewhere at home:" he concluded, by ſaying, "that the houſe could not fairly tell his majeſty, that they were ſatisfied with the ſituation of affairs at home; for my part, continued he, I am no ways ſatisfied with the preſent ſituation of our affairs, either abroad or at home, and therefore I muſt move, that theſe words ſhould be left out, or ſome way altered."

Geo. II. 1733.

Miniſtry charged.

This motion, however, being dropt, as being unformal, the motion for the addreſs, as amended, was agreed to without diviſion; and it received from his majeſty a very gracious anſwer. The houſe then went upon the neceſſary forms of granting a ſupply, and addreſſed the king, amongſt other things, for an account how the money given for the ſervice of the year 1732, had been diſpoſed of, which was accordingly laid before them. They then voted 8,000 men to be employed for the ſea-ſervice of the current year, and balloted for a committee of twenty one members, to conſider of a petition from the proprietors of the charitable corporation, ſetting forth, "that by the unparalleled neglect of all the notorious frauds and embezzlements of ſome of the perſons entruſted with the care and management of their affairs, the petitioners having been defrauded of their whole capital, whereby many of them were reduced to the greateſt diſtreſs, did, upon their application for relief, obtain three ſeveral acts the laſt ſeſſion of parliament; that by the favour and interpoſition of his majeſty, ſeveral material books and papers have been ſince recovered, which give further light into thoſe frauds and abuſes; and that through the length and intricacy of the inquiry, there was not time in the laſt ſeſſion for any farther proceeding for their relief: and therefore praying the houſe to take their unhappy caſe into farther conſideration, and to grant ſuch relief to the petitioners as to the houſe ſhall ſeem meet."

Seamen voted.

Charitable corporation's petition.

This petition met with a moſt cordial reception in the houſe, and nothing can be a more ſtriking proof, how little

Geo. II. 1733.

the miniſtry interfered in affairs of material juſtice, than the liſt of the names of the gentlemen upon whom this ballot fell. They were, Mr. Palmer, Mr. Perry, Mr. Bromley, Mr. Harley, Mr. Plumer, Mr. Sandys, Mr. Wynn, ſir Thomas Saunderſon, ſir John Ruſhout, lord Morpeth, ſir John Barnard, lord Limerick, Mr. Digby, Mr. Bramſton, Mr. Wyndham, ſir Thomas Robinſon, Mr. Danvers, Mr. Henry Bromley, Mr. Cambell, Mr. Conduit, Mr. Winnington.

A ſelect committee upon it.

Their names.

January 31. Motion for the penſion-bill.

The ſame day that this liſt was reported to the houſe, Mr. Sandys, in a very extraordinary manner, moved for leave to bring up the penſion bill, which had ſo often paſſed in that houſe, and had been rejected in the other. This motion was found fault with by Mr. Winnington and ſir William Yonge, as being irregular, becauſe leave was always aſked of the houſe, for bringing bills into the houſe, before they were brought up to the table. Sir John Ruſhout quoted the precedent in the 9th of the late king, when the then ſollicitor-general moved to bring up a bill, which he had ready in his hand, for the ſuſpenſion of the habeas corpus act. This precedent being read, occaſioned a debate; but Mr. Sandys at laſt waving his motion, the bill was brought up in the ordinary manner.

February 2. Debate upon the navy.

The next debate of importance in the houſe was, upon a motion in a committee of the whole houſe, for employing 17,709 men, for the ſervice of the current year. Upon this occaſion, all the old trite arguments were furbiſhed up on both ſides. The king's ſpeech, which gave hopes of a general tranquillity, was urged againſt the fears of the pretender and his agents, who were ſaid to be very numerous, and daily increaſing. The example of the Dutch, who had lately agreed to a reduction of their troops, was urged as proper to be followed by England. But the fact was denied to be certain, and Mr. Horace Walpole, to cut ſhort all the endleſs train of reaſonings upon conſtitutional or anti-conſtitutional principles, preſſing or remote dangers, and particular conjunctures, very properly ſaid, "That the number of troops then propoſed, was abſolutely neceſſary, as long as the nation enjoyed the happineſs of having the preſent illuſtrious family on the throne." After a long debate, in which Mr. Pulteny diſtinguiſhed himſelf by a vein of humorous ſarcaſm, peculiar to himſelf, the queſtion was carried in the committee; but when the reſolution was reported to the houſe, a motion was made, to re-commit it, which was carried in the negative, by a majority of 207 againſt 143 [a].

Diviſions upon it.

After

[a] The principal ſpeakers were, for the firſt motion, ſir Thomas Robinſon,

After this, lord Morpeth, eldeſt ſon to the earl of Carliſle, moved to addreſs his majeſty, that he would be graciouſly pleaſed, from his earneſt deſire to eaſe his people of every charge, not abſolutely neceſſary, and his regard to the conſtitution of this kingdom, to take the firſt favourable opportunity of making a reduction of thoſe forces, which this houſe hath voted, in purſuance of the eſtimate laid before them, by his majeſty's direction. Geo. II. 1733. Motion for an addreſs;

The diſreſpect and indecency implied by this motion, to his majeſty's intentions and perſon, was warmly reſented by the gentlemen in the adminiſtration; and to ſay the truth, the motion itſelf coming upon the back of the vote for the army, rendered it a very ridiculous, as well as an unreaſonable one. Upon the diviſion, however, it was ſupported by 136 members againſt 203; ſo that it paſſed in the negative. rejected on a diviſion.

The next eſſay of their ſtrength, which the oppoſition made, was on February 7, immediately before the houſe was to reſolve itſelf into a committee, when a motion was made, "That the houſe will raiſe the neceſſary ſupplies for the current ſervice of this year, without creating any new debt upon any fund whatever." This motion, which in itſelf was extremely plauſible, and, had it been practicable, would have been very proper, occaſioned a freſh debate, in which the ſpeakers againſt it demonſtrated, that it could not be carried into practice, without hazarding the ſucceſs of the ſervice for the current year; and, that in fact, there was no difference in the two manners of raiſing the money, only, that the uſual manner was more eaſy for the people; upon which, the motion was dropped without a diviſion. February 7. Motion upon the ſupplies, dropt.

The next debate of note was, with regard to the Spaniſh depredations, when ſir Wilfrid Lawſon made a motion, to addreſs his majeſty, "that there be laid before the houſe, copies of the reports made by his majeſty's commiſſaries in Spain, together with all letters and papers relating thereto, and what ſatisfaction has been made to the ſubjects of Great Britain, for the loſſes they ſuſtained by the depredations of the Spaniards in Europe, or in the Indies, purſuant to the ſecond ſeparate article of the treaty of peace, union, friendſhip, and mutual defence, between the crowns of Great Britain, France, February 13. Caſe of the Spaniſh depredations.

Robinſon, ſir Richard Lane, ſir Archer Croft, ſir William Yonge, Mr. Pelham, Mr. Walpole. For the 2d motion, Mr. Bramſtone, Mr. Rolle, ſir John Barnard, the maſter of the rolls, Mr. Shippen, Mr. Wyndham, Mr. Palmer, Mr. Thomas Wyndham, Mr. Digby, Mr. Pulteny, ſir John St. Aubin, ſir Thomas Saunderſon, ſir John Hynde Cotton.

Geo. II. 1733. and Spain, concluded at Seville, on the 9th of November, 1729."

Debate upon the ſame.

The miniſter would gladly have ſhifted off this motion, which was only made in order to embarraſs him; but he could not do it with decency, or without danger. His tenderneſs towards the court of Spain, had made him indulge them in various delays, as to the execution of the treaty of Seville, with regard to the depredations upon the Engliſh in America. Mr. Keene, the Britiſh miniſter, at the court of Spain, had preſented ſeveral ſmart memorials, complaining of that non-execution, and laſt year obtained a cedula, to the following effect.

Dated January 18, 1732.

"I the king.

Cedula of the king of Spain, relating to captures of Engliſh veſſels.

"Whereas, the Britiſh miniſter, reſiding at this court, has "repreſented to me, that, notwithſtanding the orders I have "iſſued, to hinder the Spaniſh privateers in America, from "committing hoſtilities againſt the Engliſh and their ſhips "frequenting thoſe ſeas; nevertheleſs, not only ſuch per-"ſons as have patents from ſome of the governors of ſome "of the ports in my dominions, but alſo ſome who have no "patents at all, continue their hoſtilities, under a pretence "of preventing an illicit commerce; whilſt the governors "refuſe to admit of the complaints given in by the Engliſh, "who have experienced ſuch unjuſt moleſtations, or to in-"demnify them of the loſſes they may have ſuffered "hereby. My reſolution is, that the orders already iſſued "for that purpoſe, ſhould be repeated: wherefore, I com-"mand by theſe preſents, all governors in any port or place "of my dominions in America, not to ſuffer any of my "ſubjects to moleſt or abuſe the Engliſh, or any of their "ſhips, that ſhall ſail in thoſe ſeas, as long as they keep in "their proper diſtances, and are not concerned in any illicit "trade; and that my governors take ſpecial care, that my ſaid "ſubjects do conform exactly, and indiſpenſably, to the royal "laws and ordinances, which treat of thoſe matters; and if "any of my ſaid ſubjects ſhould commit any exceſs, contrary "to thoſe laws, I command my governors to puniſh them, "with all the ſeverity, that the offence they ſhall have com-"mitted, requires; as alſo, ſuch as, without patents, ſhall "go to ſea in order to commit hoſtilities, and make unlawful "prizes: that the ſaid governors do hearken to, and admit, "all complaints, that ſhall be made to them from the mini-"ſters or chief commanders of Great Britain, either by "word of mouth, or by writing; taking care to do them "juſtice at all times; and to give them teſtimonies of all

"that

" that ſhall be tranſacted; and that ſatisfaction be given them Geo. II.
" for the loſſes they may have ſuſtained unjuſtly, by the ſub- 1733.
" jects, who may have occaſioned them, and who ought to
" make them good; for ſuch is my will: and the aforeſaid
" governors are to underſtand, that they ſhall be made ac-
" countable for the exceſſes committed by the privateers, be-
" cauſe, before they grant them patents to go to ſea, they
" ought to examine, who the perſons are, and inſiſt upon
" proper ſecurities.

" Done at Seville, the 18th January, 1732.

" To the governors of the ports " I the king,
" in the Indies, relating to the " D. Joſeph Patinho."
" hoſtilities, which the Engliſh
" have experienced from the
" privateers of thoſe ports."

This famous cedula is inſerted at length, that the reader may have a fair opportunity of judging for himſelf, whether the Britiſh miniſtry was ſo much to blame, as their enemies have given out, for their backwardneſs at this time, to commence hoſtilities againſt Spain.

By a declaration, ſigned ſome few days after, by Mr. Keene, the marquis de la Paz, and don Joſeph Patinho, his Catholic majeſty promiſed and engaged, " not to permit that his viceroys, governors, or other officers, in America, either by their commiſſions, or in any other manner do encourage, protect, or authorize, ſuch pernicious practices; but that, on the contrary, the ſtricteſt orders ſhall be ſent them, to do every thing that ſhall be in their power to prevent the like happening: to the end that the lawful commerce and navigation of his Britannic majeſty's ſubjects to their colonies, and their ports, may be carried on freely and without moleſtation, agreeable to the ſeveral treaties upon that ſubject." February 8, 1732. Declaration upon the ſame ſubject.

" His Catholic majeſty alſo promiſed and engaged by this declaration, that, whenever any privateers ſhall, under denomination of guarda-coſtas, or any other denomination whatever, have leave to fit out for ſea, in order to prevent contraband trade, purſuant to the laws and ordinances of the Indies, which have not been derogated from by the treaties, they ſhall be obliged to give ſecurity, in the preſence of the government of the places from whence they ſhall ſail, to be anſwerable for any damages, they may unjuſtly occaſion; and in default of ſufficient ſecurity, the governors themſelves ſhall be anſwerable for whatever may happen: his Catholic majeſty expecting that proper orders ſhall reciprocally be

Geo. II. 1733. given on the part of his Britannic majeſty, for cauſing the hoſtilities to ceaſe, which the Spaniſh ſhips have met with ſince the 22d of June, 1728, and for making good the loſſes and damages which the ſubjects of Spain ſhall have unjuſtly ſuſtained."

By another clauſe in this declaration, his Britannic majeſty promiſes "to forbid, and effectually to prevent, his ſhips of war from convoying or protecting, under any pretext whatſoever, ſhips carrying on an unlawful trade upon the ſtates belonging to his Catholic majeſty, and the governors of the colonies from authorizing or encouraging any landing upon his Catholic majeſty's dominions; his Catholic majeſty promiſing to do the ſame on his part, thereby to avoid all cauſe of complaints, which might interrupt the good correſpondence between the ſubjects of the two nations."

Objections to the cedula, and the conduct of the court of Spain,

Tho' theſe conceſſions on the part of Spain might have been ſatisfactory between two miniſters, who were not accountable for their conduct to any but their maſters, yet they were far from being ſo to a Britiſh parliament. The oppoſition inſiſted upon it, that the expreſſion in his Catholic majeſty's cedula, of proper diſtances to be kept by Britiſh ſhips upon the coaſts of America, was a fallacious condition, and tending to defeat the whole purpoſe which England ought to expect from the cedula. They grounded their reaſons for this, upon the impoſſibility of ſhips ſailing from one colony of Great Britain to another, being able to perform their voyages without the accidents of winds and tides ſometimes forcing them to come within diſtances of Spaniſh coaſts, which the Spaniards might judge to be improper diſtances, and therefore, a ſufficient cauſe for capture, according to the ſecret orders, which their ſeveral governors might have from the court of Madrid.

not avowed on this occaſion.

The objections here mentioned, were not fully ſtated upon this occaſion, but they were the foundation of ſir Wilfred Lawſon's motion; and indeed they contained the true reaſons why the court of Spain's commiſſaries had not yet, with thoſe of England, entered upon the proſecution of any deciſive plan, that could determine the differences, for which the commiſſion was appointed.

Difficulties with the miniſter had.

Sir Robert Walpole ſaw this, and was ſenſible the oppoſition had gained an advantage upon him; but he acted with great addreſs, and, at the ſame time, with great honour. He roſe up in his place, and frankly owned, "that his majeſty had nothing to lay before the houſe, upon the motion which had been made, becauſe many unforeſeen accidents had prevented the commiſſaries from entering upon buſineſs ſooner than

than the month of February laſt. He aſſured the houſe, that ſince that time, they had been proceeding upon buſineſs; but, added he, the delays they at firſt met with, made it neceſſary to prolong the time for ſettling and adjuſting thoſe matters, and therefore, it has been agreed between tne two nations, that the three years ſhall be computed from that day, in February laſt, on which the commiſſaries firſt met; and by that time, it is to be hoped, that all thoſe affairs will be ſettled in ſuch a manner, as will give full ſatisfaction to every member of this houſe, and full reparation to every one of the ſubjects of Great Britain, who have met with a real injury from the Spaniards." Geo. II. 1733.

Mr. Pulteney treated this apology, as he did almoſt every thing, that came from the miniſter, with great contempt. He ſaid, "the houſe ought not to take from any member of it, an anſwer, which they could regularly have from his majeſty alone, and therefore, inſiſted upon the motion." Sir Thomas Alſton obſerved, "that as the commiſſaries had large ſtated ſalaries, it was not to be ſuppoſed they would be in great hurry to loſe them, by bringing the affairs of their commiſſion to a ſpeedy iſſue." Mr. Conduit, who, it ſeems, was perſonally a friend to the commiſſaries, vindicated their characters, as diſdaining any ſuch imputation. In anſwer to him, Mr. Pulteny ſaid, "the commiſſions and inſtructions, in conſequence of the vigorous remonſtrances that had been made laſt ſeſſion of parliament, had been ſent to the commanders of his majeſty's ſhips of war in the Weſt Indies. That he believed, that in conſequence of them, ſome Engliſh ſhips had been ſent to the Spaniſh coaſt to demand ſatisfaction for Engliſh merchant ſhips violently taken, and unjuſtly confiſcated by the Spaniards. One of theſe captains, continued he, did accordingly, in purſuance of the inſtructions he had received, ſend his boat with his lieutenant and ſome of his ſailors on ſhore, to demand the ſatisfaction propoſed; but the Spaniards were ſo far from complying with ſo juſt a demand, that they added a new affront, and made the lieutenant and the men priſoners; whereupon, he, like a brave, downright honeſt Engliſh captain, did what he ought to do; he ſeized the firſt Spaniſh ſhip he could meet with; but I have been ſince informed, that this Spaniſh ſhip has been reſtored, though the Engliſh ſhip has neither been reſtored, nor have the owners met with any ſatisfaction for the damage and loſs that they have ſuſtained."

Mr. Pulteney's argument.

Sir Thomas Alſton's.

Mr. Conduit's.

Mr. Pulteney's narrative.

To this fact, which was ſo roundly aſſerted, Mr. chancellor of the exchequer obſerved, "that wherever the honourable

Sir Robert Walpole's anſwer.

Geo. II. 1733. nourable gentleman who ſpoke laſt got his information in relation to the reſtitution of the Spaniſh ſhip he made mention of, to his knowledge, it was erroneous; for that, at that time, orders were ſent from hence for releaſing the Spaniſh ſhip, orders were in like manner ſent from the court of Spain for releaſing and reſtoring the Engliſh ſhip and cargo, which they had before taken; and that her not being reſtored, was no neglect either at this or at the Spaniſh court, but to the excuſes, ſhifts and delays of his Catholic majeſty's governors in the Weſt-Indies; who notwithſtanding expreſs orders from their court for delivering up the ſhip and cargo, had found ſome new pretences for delaying it."

But though the miniſter, even in a parliamentary ſenſe, had the better in this argument, and could have carried the queſtion, he ſuffered it to go againſt him; and ſoon after the propoſed addreſs was preſented, an anſwer came from the crown, which contained in ſubſtance little or nothing more than what the miniſter had already ſaid to the houſe upon the occaſion [a].

Feb. 21. Proceedings upon the ſugar colonies.

The affair of the ſugar colonies was now reſumed; for, on the 21ſt of February, the houſe of commons ordered the ſeveral returns of the commiſſioners of the cuſtoms of the ſtate of that trade, ſhould be laid before a committee of the whole houſe. By thoſe returns, it appeared that the produce of the half of the ſubſidy remaining to the crown upon all ſugar exported for ſeven years ending at Chriſtmas 1731, amounted in the whole to 37,046l. 11s. 8d. that the refined ſugar exported out of England for five years laſt paſt, amounted to

[a] The anſwer was, That altho' by the treaty of Seville the commiſſaries on the part of Great Britain and Spain were to meet within four months after the exchange of the ratification of that treaty, and their commiſſions to continue for three years from the date of the ſaid treaty; and although his majeſty's commiſſaries were appointed on the 2d of April 1730, yet by ſeveral unforeſeen accidents the meeting of the commiſſaries in Spain was ſo long delayed, that the firſt conferences were not opened till the 23d of February 1732, N. S. and that as ſo much time was elapſed before the opening of their commiſſions, it has been ſince agreed between the two crowns, that the three years for finiſhing the commiſſion of the ſaid commiſſarie, ſhall be computed from their firſt meeting on the 23d of February laſt; which makes it impracticable for his majeſty to give the proper orders, for laying a perfect account before this houſe, of what is deſired in their addreſs.

upward

upward 89,508 hundred weight: that the raw ſugar exported for five years, amounted to 745,577 hundred weight: that the duty paid for ſugars imported from the plantations, amounting to upwards of 4,459,405 hundred weight, was 741,375l. 19s. That the draw-back upon the ſaid ſugars exported, amounted to 97,391l. 7s. 3d. ſo that there remained 643,983l. 11s. 9d. Theſe accounts being ſeverally conſidered in the committee, next day ſir Charles Turner reported as the opinion of the committee, "That no ſugar, paneels, ſyrups, or molaſſes, of the growth, product, or manufacture of any of the colonies or plantations in America, nor any rum or ſpirits of America, except of the growth or manufacture of his majeſty's ſugar colonies there, be imported into Ireland, but from Great Britain only. That a duty of 4 ſhillings per hundred weight ſterling money, be laid on all ſugars and paneels imported into any of his majeſty's colonies or plantations in America. That a duty of ſix pence per gallon ſterling money, be laid on all foreign molaſſes and ſyrups imported into any of his majeſty's colonies or plantations in America. That a duty of nine pence per gallon ſterling money, be laid on all foreign rum imported into any of his majeſty's colonies or plantations in America. That all duties charged on the importation of all ſugars and paneels of the growth, product, and manufacture of his majeſty's colonies and plantations in America into Great Britain, be drawn back on exportation of the ſame. That a draw-back or allowance of 2 ſhillings per hundred weight on all ſugars refined in, or exported from Great Britain, be paid on the exportation thereof over and above all draw-backs, or bounties now payable therein."

Geo. II. 1733.

Feb. 22.

Reſolutions thereupon.

Thoſe reſolutions, particularly the firſt, met with great oppoſition from the natives of Ireland, in the houſe, and thoſe who had intereſt in that country. They affected to repreſent it as impolitic, by taking away the great diſcouragement for the conſumption of French brandy: and as a breach of the peace with Portugal, by prohibiting the importation of Portugal ſugars directly into Ireland. It was likewiſe more than hinted, that France would have reaſon to look upon it as an infringement of the treaty of Utrecht, by which it was provided, that all trade ſhould remain on the ſame footing it was on at that time. Several intimations were likewiſe thrown out againſt the oppreſſive and contemptuous manner in which the Iriſh nation in general were treated, and the injuſtice of ſuch a procedure expoſed. Mr. Carey and Mr.

Geo. II. 1733. Mr. Doddington were the chief ſpeakers againſt the reſolutions.

Character of Mr. Scrope.

Mr. Scrope was then ſecretary to the treaſury, and was perhaps the cooleſt, the moſt experienced, faithful, and ſagacious friend the miniſter had. He was greatly truſted in all matters of the revenue, and ſeldom or never ſpoke but to facts, and when he was clear in his point. He obſerved, "that the prohibition in queſtion, never could have the effect of encouraging the conſumption of French brandy in Ireland; becauſe the importation of rum into that kingdom, was ſtill allowed of from the Britiſh ſugar iſlands. That the importations directly into Ireland, were generally the product or the manufacture of foreign ſugar colonies, which were thereby greatly promoted, and the Britiſh ſugar colonies conſequently diſcouraged and injured." Mr. Horatio Walpole obſerved, "that no foreign power could take amiſs a national regulation which affected only our own trade; and that as the intention of the government did not ſeem to be to prohibit either French ſpirits or Portugal ſugars from being imported into Ireland, he therefore would propoſe an amendment to the motion, and that it ſhould run,

"That no ſugar, paneels, ſyrups or molaſſes, of the growth, product, or manufacture of any of the colonies or plantations in America; or any rum or ſpirits of America, except of the growth or manufacture of his majeſty's ſugar colonies there, be imported into Ireland but from Great Britain only." The reſolution as thus amended being agreed to without diviſion, Mr. Wynn moved, "that a duty of four ſhillings per hundred weight, ſterling money, be laid upon all ſugars and paneels imported into any of his majeſty's colonies in America." As this motion was made upon the ſame principle as the former ones, the diſcouraging the French ſugar trade, it was agreed to without oppoſition. But that was not the caſe with a motion for two other reſolutions made by colonel Bladen, who was in the board of trade, and a friend to the miniſter.

They were, 1ſt, That a duty of 6 pence a gallon ſterling money be laid on all foreign molaſſes, and ſyrups imported into any of his majeſty's colonies or plantations in America. 2d, That a duty of 9 pence per gallon ſterling money, be laid on all foreign rum imported into any of his majeſty's colonies or plantations in America.

Oppoſed.

Thoſe reſolutions, though they ſeem to have been founded upon the ſame principle as the former, were oppoſed by ſir John Barnard, who was afraid, that if ſuch high duties were

laid upon the materials for making rum, the French, inſtead of ſupplying our northern colonies, as they then did, with molaſſes at a very cheap rate, would apply themſelves to manufacturing their own molaſſes into rum, which our coloniſts would buy. He obſerved, that the inconvenience of the ſecond reſolution, which amounted to a prohibition of French rum into our plantations, would be, that the French having once got into the method of making rum, would ſmuggle it, notwithſtanding all the Britiſh governors could do to prevent them. That the coaſts of the Engliſh poſſeſſions in north America were ſo extenſive, and ſo full of bays and creeks, it was impoſſible to prevent ſmuggling; and that there was no ſuch temptation in the world to ſmuggling as the impoſition of high duties upon any commodity; he was not, however, againſt impoſing a moderate duty upon what had been propoſed. Geo. II. 1733.

Notwithſtanding ſir John ſpoke upon this head with great clearneſs and preciſion, yet the majority of the houſe not being very apprehenſive of the French ſmuggling, and being of opinion that the duties propoſed would be of ſervice to the Engliſh ſugar iſlands, the reſolutions were ſeverally agreed to without diviſion; as were the two following, which paſt without oppoſition, and is a farther proof, if any were wanting, that the adminiſtration was as ſincerely in the intereſts of the ſugar iſlands, as the moſt diſintereſted part of the parliament was. 1ſt, "That all the duties charged on the importation of all ſugars and paneels of the growth, product, and manufacture of his majeſty's colonies and plantations in America, into Great Britain, be drawn back on exportation of the ſame." 2d, "That a draw back or allowance of two ſhillings per hundred weight on all ſugars refined, or exported from Great Britain, be paid on the exportation thereof, over and above all draw-backs or bounties now payable thereon." A bill was then ordered in upon theſe reſolutions, which afterwards paſſed into a law, and was entitled, "An act for the better ſecuring and encouraging the trade of his majeſty's ſugar colonies in America." Farther reſolutions.

Thus ended in an act an enquiry that had engroſſed for years the attention of the ableſt merchants in his majeſty's dominions, and turned upon a ſubject the moſt intereſting that can happen to a trading people. It divided the ſentiments of the inhabitants of the mother country as well as thoſe of her colonies, who were ſplit into two parties, which peſtered the public and the legiſlature with acrimonious papers againſt each other: for if the ſugar colonies got relief, nothing

Geo. II. 1733. nothing leſs than the ruin of the northern ſettlements was predicted; and it was evident to daily experience, that if the northern colonies were ſuffered to continue their trade with the French, the ruin of the Britiſh ſugar iſlands muſt ſoon have been compleated. For upon the examination of ſeveral eminent merchants and maſters of ſhips before the committee of the houſe of commons, it appeared, that the Britiſh ſugar iſlands, at the time of paſſing the bill, were in a moſt deplorable condition, Barbadoes eſpecially [a].

Another

[a] Sir John Ruſhout reported from the committee to whom the petition of ſeveral merchants, planters, and others trading to, and intereſted in, his majeſty's ſugar colonies in America, in behalf of themſelves and many others, was referred; that the committee had examined the matter of the ſaid petition, and had directed him to report the ſame, as it appeared to them to the houſe; and he read the report in his place, and afterwards delivered it in at the clerk's table, where the ſame was read, and is as follows, That the committee (purſuant to the order of the houſe) proceeded to examine the matter of the ſaid petition; and to prove the allegations thereof, witneſſes were called, viz.

Mr. Jonathan Siſſon, who ſaid, that ſince the treaty of Utrecht, a conſiderable trade had been carried on between New England and other Engliſh northern colonies and the French ſugar colonies, eſpecially at Martinico; and that horſes, lumber, flour, and other goods, are ſent by the people of the northern colonies, and ſold to the French in exchange for molaſſes and rum, particularly molaſſes (of which the French make great advantage, which being formerly of ſo little uſe to them, that they gave it to their horſes and hogs) by means of which trade, they have been enabled to enlarge their plantations, and have cut down their woods to gain more ground; being now ſupplied with lumber and other plantation neceſſaries from our northern colonies, whereby the French are greatly enriched, and the Britiſh ſugar colonies impoveriſhed; and this has cauſed the neceſſaries, particularly lumber for the plantations, to be very dear in the Engliſh colonies, who can take off all the horſes and lumber they carry to Martinico. The French cannot be ſupplied with thoſe neceſſaries from any other place, by reaſon of the navigation of Canada being ſo very difficult and dangerous. The northern colonies may be ſupplied with molaſſes and rum from the Engliſh ſugar colonies at reaſonable prices; for rum was ſold the laſt year at 12d. per gallon Barbadoes money, which is 28l. per cent. difference between that and Engliſh money.

He further ſaid, that the French at Martinico freight Engliſh ſhips from thence with rum and molaſſes on their own accounts, and ſend the ſame to Boſton to their factors or agents there. The produce whereof is laid out in the building of veſ-

ſels;

Another affair of a moſt intereſting nature happened this ſeſſion, which with what had happened in other caſes of the ſame kind, ſufficiently proved how far the government was free from the guilt of abetting the frauds which were at this time but too numerous amongſt public bodies. A petition was preſented to the houſe of commons, from the proprietors of the York building company, praying for the aſſiſtance of the houſe in endeavouring to diſcover the embezzlements of ſeveral hundred thouſand pounds that they had ſubſcribed towards

Geo. II. 1733.

Journals of the houſe of commons March 22, 1730. Proceedings againſt the York building company.

ſels; and when built, the factors, agents, or builders, before they make a bill of ſale to the right owner, take an oath before the governor there, that they are not the property of foreigners, and that they are the true owners thereof; upon which they obtain a regiſter in their own names, and the oath taken that they are not for foreign ſervice, is by theſe means evaded: and thoſe ſhips, and chiefly the ſmall ones, are manned with Engliſh and Iriſh ſailors hired by the French; and as they have occaſion, carry molaſſes and rum to the northern colonies, as well as to Cape Breton, from whence thoſe goods are carried in the New England coaſting veſſels to Boſton, and there diſpoſed of, as before-mentioned. He added, that conſiderable ſums of money were carried by thoſe ſhips from Barbadoes and our other ſugar iſlands, to Martinico, in order to procure a more quick diſpatch to be given to their loading of ſugars and molaſſes, for which no more than 1 s. per cent. duty is paid for the produce of the French iſlands on exportation; and that little elſe is carried to Boſton beſides molaſſes and rum: but if a ſtop could be put to this trade, a great advantage would accrue to the Engliſh ſugar ſettlements: ſome of our planters have already removed to New York, and others are going, which in a great meaſure is owing to this trade. Formerly the profits ariſing to the planter upon rum and molaſſes at Barbadoes, was about one third of the value of the produce of the plantation, and generally paid more than the charge of ſuch plantation.

Captain Richard Nanſan, captain Robert Taylor, and captain James Niſbet, being ſeverally examined, confirmed the evidence given by Mr. Siſſon.

Mr. Siſſon further ſaid, that the French have at preſent 300 men fit to bear arms ſettled in the iſland of St. Lucia, 500 on the iſland of St. Vincent, and 500 on the iſland of Domingo, all ſubjects of France: that theſe three iſlands are included in the commiſſion of the governor of Barbadoes; and that the French have more men on the iſland of Martinico, than the Engliſh have in all their ſugar iſlands, excepting Jamaica. That on the iſland of Hiſpaniola, there are (the king's troops excepted) 6,000 men able to bear arms; but on the iſland of Jamaica, there are not many more than half that number.

He being aſked, if the French could not have horſes from the Spa-

Geo. II. 1733.

wards carrying on the water-works of the ſaid company; and for purchaſing ſeveral forfeited eſtates in England and Scotland, as well as for undertaking and managing ſeveral mines and other works and trade in Scotland. The chief complaint of the petition was againſt the governor (Horſey) and his ſervants, who refuſed to diſcover the circumſtances of the frauds they had been acceſſary to; and who had ſecreted, or kept, or made up the books that could throw a light upon their iniquitous tranſactions without their being compellable by the petitioners to do them juſtice.

Select committee choſen thereupon.

This petition was immediately referred to a ſelect committee of thirteen, who was ballotted for, and the choice of the houſe fell upon ſir William Lawſon, Mr. Plumtree, Mr. Gibbon, Mr. Clutterbuck, lord Limmerick, Mr. Heathcote, Mr. Knight, Mr. More, Mr. Lyddel, Mr. Burton, Mr. Williams, ſir Edward Stanley, and Mr. Tower. This committee was indefatigable in coming at the truth; and on the 6th of June Mr. Plumtree, their chairman, gave in a moſt elaborate report concerning the ſtate of the company, and the proceedings of the governors and general courts, which are ſeverally too tedious and immaterial to general hiſtory to have a place here; the concluſion, however, may aſſiſt the reader to form a pretty juſt idea of the cauſes of the complaints of the petitioners. For after giving all their complaints a fair, nay, favourable, hearing, the report ſays, "That whatever miſmanagements the directors of the company may have been guilty of, they fall very ſhort of the great ſum diſſipated and debt incurred."——"That much of the preſent bad condition of the company, is owing to the

Spaniards; he ſaid, they could only have mules, and thoſe were purchaſed at high prices, and by a contraband trade, and the meaner planters (of which there are great numbers) could not purchaſe:

That the iſlands of Guardaloupe and Grandterre are half as large again as Barbadoes, and there are on thoſe iſlands 5000 white men fit to bear arms:

That the extent of the iſland of Barbadoes is 28 miles long, and 14 miles broad; and that the governor does not receive above 1,100l. per annum. out of 6,000l. per annum, granted for his ſalary, the gentlemen of the aſſembly chuſing to pay the penalty of 50l. each for not collecting the ſalary, which by a law there they are obliged to pay; becauſe the inhabitants thereof, ſince this trade had been carried on, are greatly impoveriſhed in many reſpects:

That the Engliſh ſugar colonies are in a very declining ſtate; and that the fortifications at Barbadoes are quite decayed, the walls in many places cracked, the carriages broke, and the guns diſmounted.

general

general courts themſelves. This is viſible, in going through the minutes of thoſe courts, where there conſtantly appears a predominant regard to their preſent and imaginary value of their ſtock, and very little care of what ſhould be the future and real worth of it. From hence have proceeded that great readineſs they have ſhown to dividends and projects, and their ſtrong averſion to calls; to avoid which they have always been willing to give into any expedient propoſed. Thus chuſing rather to run into debt than to advance money, they have drawn on themſelves one heavy article of the burthen they now feel, viz. intereſt money; of which they have paid 72,325l. 11s. 9½d. and owe 23,909l. 13s. 9d. both together making the ſum of 96,235l. 5s. 6½d. as appeared to the committee by a ſtate atteſted by the company's accountants, and their agent in Scotland; when at the ſame time they have not paid one fourth part of the ſum they had obliged themſelves to furniſh by their original ſubſcription." Upon the whole therefore of this report, there did not ſeem ſufficient matter to ſupport the allegations of the petition, and therefore no bill was brought in upon it. Geo. II. 1733.

It is now, and then was, undeniable, that the commerce of England, through the pacific plans of the miniſtry, was then in a very flouriſhing condition; and public credit, of conſequence, was ſo high, that the creditors dreaded nothing more than to be obliged to receive their money from the funds. The adminiſtration, during the late receſs, were made fully ſenſible of the great acceſſion of popularity they had acquired through the eaſe given to the landed intereſt by reviving the ſalt duty. In order to improve this advantage, and to render the way more ſmooth for the paſſage of the ſcheme the miniſter was meditating, in a committee of the whole houſe, to which all the proper papers and documents were referred, [a] he moved, State of public credit.

"That

[a] The other order of the day for the houſe to reſolve itſelf into a committee of the whole houſe to conſider further of ways and means for raiſing the ſupply granted to his majeſty being read;

Ordered, That the account of what monies are now remaining in the exchequer of the produce of the ſinking fund, diſpoſable by parliament, be referred to the ſaid committee.

Ordered, That the ſurpluſſes ſtated at Lady-day 1732, be referred to the ſaid committee.

Ordered, That the ſurpluſſes ſtated at Michaelmas 1732, be referred to the ſaid committee.

Ordered, That the account ſhewing how the money given for the ſervice of the year 1732, hath

Geo. II. 1733.

" That it is the opinion of this committee, that towards raiſing the ſupply granted to his majeſty, there be iſſued and applied the ſum of 500,000 l. out of ſuch monies as have ariſen from the ſurpluſſes, exceſſes, or overplus monies, commonly called the ſinking fund, over and above what hath been applied to the payment of one million towards diſcharging the national debt, purſuant to an act of the laſt ſeſſion of parliament."

500,000 l. borrowed on the ſinking fund.

He concluded the ſpeech, which followed the motion, by ſaying, that if the motion ſhould not appear to be agreeable to the committee, then he or ſome other member muſt move for a land-tax of two ſhillings in the pound; there being no other way or means left of providing for the current ſervice of the year.

They who appeared proud of the appellation of country gentlemen, greatly reſented the affront and indignity done to them by this motion; as if they would not ſubmit to pay a ſhilling in the pound, rather than take from the ſacred depoſite of the ſinking fund a ſum that ought to be appropriated to the payment of the national debt; which, if not diminiſhed by the ſinking fund, muſt become a load upon poſterity. " The honourable gentleman," ſaid Mr. P. " has been called, and once had the vanity to call himſelf the father of the ſinking fund; but if Solomon's judgment is right, he who is thus for ſplitting and dividing the child, can never be deemed to be the true father. He may claim, and I will allow him, the honour of being the father of two other children lately brought forth in this nation, a ſtanding army and an exciſe; but as for the ſinking fund, he ſeems now to renounce all pretences of being the father thereof."

Great debates thereupon.

Mr. P. loſt in argument more than he gained in wit by this ſarcaſm. The houſe well knew, that both the exciſe and the army were then the ſame as they had been for many years before the miniſter came into power, or even into parliament; and as to the ſinking fund, ſir Robert ſaid, " that he remembered the time when the eſtabliſhment of that fund was treated as a monſtrous project, and then," continued he, " I was obliged to father it: but no ſooner was it found out to be a good and right thing, and a project that was both feaſible and agreeable to the intereſt of this nation, than other

hath been diſpoſed of, diſtinguiſhed under the ſeveral heads until the 31ſt day of January 1732; and the parts thereof remaining unſatisfied, with the deficiency thereupon, be referred to the ſaid committee.

gentlemen

gentlemen endeavoured to rob the real father, whoever he was, of the glory of being the father of that child." Mr. Pulteny had animadverted with great acrimony upon the ſeveral ſums that had been already taken (ſnipt he called it) from the ſinking fund. To this ſir Robert anſwered, "as for the ſums that have been taken from the ſinking fund, and added to the civil liſt, they were not taken from it by me; they were taken from it by the authority of this houſe: I was only one of thoſe who conſented to it. Particularly as to the ſum which was taken from the ſinking fund, upon the demiſe of the late king, and given to the civil liſt, the honourable gentleman, who ſits near me [a], agreed to it as well as I did; but our motives for agreeing were perhaps very different." This laſt reflection was conſtrued as an intimation that his antagoniſt had agreed to it, in order to inſinuate himſelf into the royal graces at that critical juncture of court favour. Geo. II. 1733.

The reſt of this debate conſiſted chiefly of declamation and invidious cenſures of the exciſe ſcheme (which the gentlemen in the oppoſition themſelves owned they never had ſeen) but which was now daily expected to be laid before the houſe. Sir William Wyndham repreſented the nation as being at its laſt gaſp under a debt of forty-five millions; and his following, was the only, argument that had weight in the houſe. "We are to ſave this year," ſaid he, "500,000 l. in the pockets of the landed gentlemen; but, this ſum muſt be hereafter paid by the nation ſome time or other. If it be paid next year, we then pay 520,000 l. for it; if not till two years hence, we pay upwards of 540,000 l. for it; and if it is not paid till fifteen or ſixteen years hence, by computing intereſt upon intereſt, which, in ſome caſes, muſt always be done, the nation muſt then pay above a million for the 500,000 l. eaſe, now pretended to be given to the landed gentlemen."

But to this it was anſwered by Mr. Scrope, "that the motion was no other than an alternative either to take the money from the ſinking fund, or to take it from the landed gentlemen, upon whom the burthen muſt immediately lie. That even ſuppoſing the honourable gentleman's calculations and proſages to be true, he muſt admit, that by keeping the money in the pockets of the landed gentlemen, the intereſt accumulated to them likewiſe in the ſame manner as it muſt do to the creditors of the government. That this was an immediate ſaving, which might be of much more ſervice to them Mſs. debates.

[a] Meaning Mr. P.

Geo. II. 1733. (who muſt be conſidered as part, nay, the moſt reſpectable part, of the public) than the pay of the intereſt, to which all the public indiſcriminately contribute, can be of detriment to the nation, eſpecially reflecting upon the great reſources the government might probably hereafter find, conſidering the flouriſhing ſtate of the commerce and the credit of the kingdom, and which, as it encreaſed, muſt, in any event, enable the landed gentlemen hereafter to pay with more facility than they could be ſuppoſed to do at that preſent time."

Mr. Pelham's ſpeech.

No reply being attempted to be made to this argument, Mr. Pelham, in anſwer to the many ſevere things that had been thrown out by the oppoſition againſt the revival of the ſalt duty laſt ſeſſion, ſaid, "Gentlemen may talk as they pleaſe of what was done in the laſt ſeſſion of parliament; but I can ſay, that in all places where I have ſince been, I have had the pleaſure of having had the univerſal thanks of the people for the eaſe then given to the landed intereſt. Whatever gloſs may now be put upon that affair, yet I know that ſome gentlemen, who appeared againſt it, were heard to ſay, at the time when that affair was firſt mentioned, "This is a moſt damnable project; it will pleaſe the country too much, and therefore we muſt endeavour to render it abortive." I will, indeed, do the gentlemen the juſtice to believe that they then ſpoke as they thought; and they then did what they could to prevent the ſucceſs of a deſign by which his majeſty's adminiſtration has gained the favour and eſteem of the generality of the landholders in England. What is now propoſed," continued he, "is not throwing any new load upon poſterity; it is only a diſpoſing of that money which always has been, and ſtill is, at the diſpoſal of parliament."

Mr. Waller ſaid, "that by taking the 500,000 l. from the ſinking fund, the people of Scotland were eaſed of ſo much, they ought to contribute to the land-tax by the articles of the union." But as he owned himſelf, that the proportion they paid was but very inconſiderable, the houſe paid but very little regard to his objection; ſo that the previous queſtion in the committee was carried by a majority of 245 againſt 135. Upon this motion being carried, the houſe, without any diviſion, agreed that the land-tax for the current year ſhould be only 1 s. in the pound. The gentlemen in the oppoſition, however, upon the report of the reſolutions of the committee to take 500,000 l. out of the ſinking fund, renewed the debate in the houſe, and predicted great ruin and great dangers as impending over the nation on account of that meaſure. Mr. Shippen even went ſo far as to

tax the miniſter with breaking in upon a fundamental law, or one of the pacta conventa, of the kingdom, which, he ſaid, the inſtitution of the ſinking fund was. This argument, though, in fact, groundleſs, was enforced by gentlemen of the ſame way of thinking; and though the exciſe ſcheme had not yet been brought upon the carpet, they repreſented it as an attempt to make the king arbitrary. Geo. II. 1733.

Character of ſir William Wyndham.

Sir William Wyndham was then in the vigour of his intellects, and a very extraordinary man he was. When very young, he gave but few indications of the great character, to which he afterwards arrived in ſpeaking; and it is not too bold to ſay, that ſince the days of Charles I. no man in that houſe, at that time, had equalled him in eloquence. He had always great meaning in what he ſpoke, but as he was always very full of argument, he ſometimes launched ſo far into digreſſion, that he has been known to aſk pardon of the houſe, and fairly to own, that he had forgot the point to which he was ſpeaking. He then ſate down, and ſo great was the indulgence of the houſe, that upon recollecting himſelf, he was heard with pleaſure when he roſe up again, and reſumed his ſubject. When he ſpoke coolly, he was ungraceful; for, with all the eloquence of Demoſthenes, he had ſome of his imperfections, particularly, that of a ſtammering in his ſpeech; but when he had got the better of his natural phlegm, by being a little heated in the argument, he exerted wonderful powers of eloquence.

As to his political character, he has been greatly miſrepreſented. Queen Anne intereſted herſelf in his education; and when he was very young, he undoubtedly fell into company, and imbibed principles, very unfavourable to the preſent eſtabliſhment. Reading and reflection, however, rectified his judgment, and, indeed, his heart; for, though he could never get the better of his perſonal prejudice againſt the miniſter, yet, it is certain, at the time we are now treating of, he had as great a contempt for jacobitiſm, and was as truly conſtitutional in his principles, as any ſubject the king had. It is to be lamented, that, on account of his former engagements, the miniſtry had conceived equal prejudice againſt him; ſo that his great talents, his experience, and thorough knowledge of the conſtitution, were of more uſe to the oppoſition, than they were of ſervice to his country.

His ſpeech about jacobitiſm.

During the courſe of the reſumed debate, ſir William Yonge had thrown out ſome imputations of jacobitiſm, that ſir William Wyndham took to himſelf; which occaſioned the latter to conclude his ſpeech he then made, with the follow-

Geo. II. 1733. ing expreſſions. "Whenever there are any juſt fears of the pretender, if there ever ſhall happen to be any real deſigns in his favour, which, I hope, never will, then I ſhall do as I always have done, I ſhall ſhew by my actions, what my principles are. I believe I ſtand in the opinion of mankind acquit of any imputation of jacobitiſm, as much as the honourable gentleman over the way, or any gentleman in this houſe; and therefore I as much deſpiſe the imputation, as I deſpiſe being always a ſervile aſſentator to every thing propoſed by the adminiſtration. But as ſuch inſinuations have been often thrown out againſt me in this houſe, I muſt let gentlemen know, that it is a treatment, which, I think, inconſiſtent with the dignity of this houſe, and a treatment, which I will no longer bear with."

Character of Mr. Shippen.

Mr. Shippen always ſpoke on the ſame ſide with ſir William Wyndham. He had been long in parliament; he was a clear, preciſe, ſpeaker, and not void of eloquence. The fury of party had given him more merit than he really had; for, upon a very trivial occaſion, he was ſent priſoner to the Tower. The words charged upon him, contained nothing that was criminal, and they were ſcarcely indecent. His puniſhment exaſperated him into much greater freedoms of ſpeech, than for that which he ſuffered, and he was at very little pains to diſguiſe his real ſentiments, which were thoſe of jacobitiſm. He diſtinguiſhed himſelf in this debate, and particularly, by comparing Sir Robert Walpole to the earl of Sunderland, miniſter to king James II. and who, as Mr. Shippen ſaid, "moſt baſely betrayed, and at laſt, deſerted, his maſter." Notwithſtanding all oppoſition, both reſolutions were agreed to by the houſe, without any oppoſition.

The exciſe-ſcheme reſumed.

The nation at this time was in a great ferment, in expectation of the exciſe-ſcheme, which the miniſter had openly declared he intended to bring into the houſe. Many circumſtances concurred, to aggravate the jealouſies of the publick upon this occaſion. The depredations of the Spaniards daily increaſed. The penſion-bill had been rejected again and again, in the houſe of lords. The oppoſition was indefatigable in blackening the miniſtry; and, when a bill, for ſecuring the freedom of parliaments, by limiting the number of officers in the houſe of commons, was moved for to be read a ſecond time, it was rejected, by a majority of 230 againſt 191. It was likewiſe moved, that leave be given to bring in a bill, to repeal an act, made in the firſt year of the reign of his late majeſty king George I. intitled, An act for inlarging the time of continuance of parliaments, appointed

Feb. 26.

March 13.

by

by an act, made in the ſixth year of the reign of king William and queen Mary, intitled, An act, for the more frequent meeting and calling of parliaments. But this motion was rejected, by a majority of 247 againſt 184. Geo. II. 1733.

The truth is, the oppoſition themſelves never meant, nor did they ever deſire, that thoſe popular motions ſhould take place. But they were thrown out with a view of diſcrediting the miniſter, and that very ſucceſsfully. At firſt, they confidently gave out, that the ſcheme was for a general exciſe; but the miniſter declared, that ſuch a thought had never entered into his head. And that all he intended, was to prevent the frauds committed in collecting the duties upon wine and tobacco. Notwithſtanding this, he was every day baited with his ſcheme, and great preparations were made for having a full houſe, when it ſhould be brought in. Several motions for a call of the houſe were made and paſſed; and, at laſt, it was reſolved, that the ſpeaker ſhould write to all the ſheriffs in Great Britain, and to the lord warden of the cinque-ports, deſiring them to require the attendance of the members on the 13th of March following, by which time, ſir Robert Walpole ſaid, he hoped he would be in condition to lay his ſcheme before the houſe, or a committee thereof. It was, however, put off till the 14th of that month [a]. February 27, 1733.

The

[a] It is but juſtice to the memory of the great man, who was the author of this ſcheme, to give the reader the report, which was made by ſir John Cope, chairman of the committee, appointed to inquire into the frauds and abuſes in the cuſtoms, to the prejudice of trade and diminution of the revenue. By this report, he will be able to judge of the neceſſity of ſome alteration being made in the method of collecting the duties upon wine and tobacco. The report is as follows.

"The committee, to avoid confuſion in their enquiry, have examined the frauds committed in each branch of the revenue ſingly, and obſerving, that their information related chiefly to frauds in the tobacco trade, they proceeded in that branch firſt. They take notice of the great care and caution that is uſed by the commiſſioners, in appointing a number of officers over a ſhip, from her arrival in the river, till ſhe is brought to the keys, to unlade her freight; to prevent any tobacco being landed, without paying or ſecuring the duties; notwithſtanding which, they have full proof of many notorious frauds."

"The ſetting down in the landwaiter's books leſs weight than the hogſheads imported do really weigh, is one of the principal complaints made by the merchants at Briſtol in 1721, and

Geo II. 1733. The long expected day, March the 14th, being come, the ſerjeant at arms went with his mace to the court of requeſts and

March 14.

was this year made by the planters in *Virginia*, by their agent, ſir *John Randolph*, who informed the committee, that the uſual weight in *Virginia*, were, and are, from 800 to 950 pounds; that the utmoſt allowance for waſte in the voyage was 8 lb. on every hundred weight; but believes it cannot be ſo much, having an account of his own from *Briſtol*, where he finds a waſte of no more than 15 pounds in a hogſhead of 800 weight."

"The hogſheads imported from *Maryland* weigh, at a medium, 700 lb. weight."

"In June 1727, John Midford imported in the William and Jane, from *Virginia*, 301 hogſheads, the weight of which, as taken by the landwaiters, was —— 199,257 lb. wt.

The true weights, 230,150 lb. wt.

Difference (the duty of which loſt) —— 30,893 lb. wt.

In 1729, the weight of 17 hogſheads, as taken in the landwaiters book, amount only to — 8,961 lb. wt.

The real weight of the ſame, as by the account of ſales, were 12,334 lb. wt.

Difference (the duty of which was loſt) —— 3,373 lb. wt.

"The medium of 355 hogſheads imported in the ſame ſhip, of which theſe 17 were part, being no more than 321 lb. wt. there is reaſon to believe the like fraud was committed in the whole parcel."

"An account of ſales delivered to a planter in *Virginia*, ſhews that four hogſheads were charged in the landwaiters books, 483 lb. wt. leſs than the real wts."

"Mr. Randolph acquainted the committee with a fraud ſince 1726, by ſhort weights at entry of 485 hogſheads of *Maryland* tobacco, whereby the merchant got 30 hogſheads clear of duty."

"Mr. Philpot has made another diſcovery of the ſame nature, and by comparing the landwaiters books, we have room to ſuſpect many more of the like ſort."

"Some of the frauds at exportation, in order to obtain debentures, which the exporters are not legally entitled to, are by ſhipping corrupt or damaged tobacco, mixed with dirt, rubbiſh, and ſand; and by ſhipping ſtalks alone, ſtripped from the leaf, which, by law, are to receive no drawback."

"In the year 1704 or 1705, Thomas Parr, eſq; of Datchet, had conſigned to his care in Holland 8 or 900 hogſheads of roll tobacco, in each of which rolls was contained a piece of lead, of two or three inches thick, and ſix or ſeven inches long, for which the merchants had obtained a drawback for the duty as tobacco."

"But one of the greateſt frauds on exportation, is, by the unfair traders endorſing on the back of their coquets, greater weights than the hogſheads contained, and ſo diſcharging bonds for

and the places adjacent, and having ſummoned the members to attend the ſervice of parliament, the houſe reſolved itſelf into

Geo. II. 1733.

Members ſummoned.

for more than the real exportation; whereby large quantities of tobacco will remain in their hands, without payment of duty."

"May 12, 1733, an entry was made by one Cox, of 8084 lb. wt. of roll tobacco for exportation; but on examination, there was no more than 6825 lb. wt. upon which, the whole quantity was ſeized."

"In September 1732, Mr. Peele entered into the James and Mary from Maryland, 310 hogſheads of tobacco, for which, he paid the duty in ready money; near 200 hogſheads of which he ſold in October following, to Mr. Hyam, for exportation, and they were immediately exported. It appears on theſe 200 hogſheads, that the duties paid at importation, according to the weights in the landwaiters books, were ſhort of the real weights, by 13292 lb. It appears on exportation, that the certificates ſworn to by William Cameron, for Mr. Peele to obtain debentures, was to diſcharge bonds given on a former entry for Virginia tobacco, imported in November 1731. That the endorſement on the coquet made by Mr. Peele, in order to receive the debentures, exceeding the real weights actually ſhipped, by 8288 lb. ſo that the total of the pounds weight intended to be gained by this fraud, amounts to 21580 lb."

"Another fraud the committee take notice of, is that of relanding, after having debentures for the drawbacks; which tobacco, ſo re-landed, is ſold for home-conſumption, under the market-price, in prejudice to the fair trader. Of this, they give ſeveral inſtances, particularly in the iſles of Guernſey, Jerſey, and Man. Mr. Howel, who lived many years in Flanders, has frequently obſerved ſeveral quantities of tobacco imported into Oſtend and Dunkirk, and there repacked in bales of 100 lb. wt. each, and then again put on board Engliſh and Iriſh veſſels, that waited there for that purpoſe, and were employed in relanding it in England and Ireland. About twelve months ago, nine Britiſh veſſels were taking in cargoes of tobacco for this purpoſe, at Dunkirk."

"The veſſels employed thus in the ſmuggling trade take out clearances for the ports of Spain, Portugal, or ſome other foreign country, in order to produce, in caſe they are met with on the coaſt of Britain or Ireland."

"There have likewiſe been conſiderable quantities of tobacco run without paying of duty; of this kind, have been ſeized and condemned 958,745 lb. wt. ſince Chriſtmas 1723, including the tobacco re-landed after exportation."

"Another conſiderable fraud diſcovered in 1728, was the ſtealing and pilfering tobacco from ſhips in the river; this fraud was called ſocking; and was carried on for ſeveral years by tideſmen on board, porters on the keys, mates, boatſwains, and crews, lightermen, coopers, and others, in the merchants ſervice: on this diſcovery, 2 tideſmen, 1 cooper, and 2 lightermen, were convicted,

Geo. II. 1733. into a committee, to consider of the most proper methods for the better security and improvement of the duties and revenues already charged upon, and payable from, tobacco and wines.

ed, and ordered for transportation; 1 boatswain, 1 tidesman, and 1 porter, were whipped on the keys, and about 150 tidesmen and inferior officers were dismissed. Twenty tons of tobacco were seized in houses by the river-side; of which, 22,741 lb. wt. was condemned and forfeited. This tobacco was sold by the receivers of several considerable dealers in town."

"The great temptations to commit these frauds, both at importation and exportation, arises from securing the duties by bonding, and discharging these bonds at exportation. The abuse is, the discharging old bonds by new importations, contrary to law and oath, by which the merchant gets into his hands a considerable sum of money, to the hazard of the revenue."

"Another loss to the nation in general from this method of bonding, arises from the temptation factors are under, to export or sell for exportation, the tobacco in their care, without regard to price, and merely to discharge their bonds; whereby foreign markets are overloaded, the fair trader undersold, and the planter injured in his sale and sometimes brought into debt, while the factor receives his full commission even for the duty bonded and drawn back by such hasty exportations. This appears by the memorial of the council in Virginia, sent to the board of trade, in 1713, and confirmed by Mr. Hyam and sir John Randolph."

"The method of discharging old bonds by new importations, is likewise very injurious to the sureties bound with the merchants; since by this means they continue subject to the debt long after the tobacco, for the duties of which they were bound, has either been exported or sold for home-consumption; which has been the case of almost all who were security for such merchants as died, or broke indebted to the crown, many of whom have been undone thereby."

"The frauds and abuses in tea and brandy are grown to so great a height, and carried on in such an outrageous manner, not only on the coast, but even in London, by gangs of armed men, as seems to call for the assistance of the legislature, to put a stop to their progress. The number of customhouse officers, who have been beaten, abused, and wounded since Christmas 1723, are no less than 250, and 6 murdered; no less than 251,320 lb. wt. of tea, and 652,924 gallons of brandy, seized and condemned, and upwards of 2000 persons prosecuted. Besides which, 229 boats and other vessels have been condemned, 185 of which have been burnt, and the remainder employed in the service of the crown."

"Gabriel Tomkins, a noted smuggler, now in the county-gaol of Surry, for returning from transportation, delivered in a list of several grocers and shopkeepers in London, Westminster, and Southwark, with whom he dealt about

wines. A great number of papers and accounts relating to the queſtion in hand, no fewer than 69, were then referred to the committee, and then ſir Robert Walpole opened the ſcheme. He began with a candid profeſſion of his own intention, and aſſured the houſe, "that according to the beſt of his knowledge, the ſcheme he had to propoſe, would be an improvement to the revenue of 20,000 or 30,000 l. a year, or more." He then proceeded to lay before them, the myſtery of the tobacco trade, for which the reader is referred to the report in the notes. And he ſaid, "that whoever viewed his ſcheme in its proper light, muſt ſee the planters, the fair

Geo. II. 1733.

Sir Robert Walpole's ſpeech.

about three years ago, for 15 or 20,000 lb. wt. of tea and coffee in a year."

"In the next place, the committee entered upon the frauds and abuſes in the cuſtoms on wine, and found that no more had been condemned ſince Chriſtmas 1723, than 2208 hogſheads, although the commiſſioners of the cuſtoms in 1725, had received informations upon oath, that there had been run in Hampſhire, Dorſetſhire, and Devonſhire, from 1723 to 1725, 4738 hogſheads; and, on enquiry, 30 officers were diſmiſſed, and informations entered againſt 400 perſons, 38 were committed to gaol, 118 admitted evidence, and 45 compounded for their offence."

"In the appendix to the report, the committee ſet forth at large their examinations of ſeveral perſons, who were either concerned in, or well informed of, many notorious frauds and abuſes in the cuſtoms. Among the reſt, is that of Joſeph Shakell, formerly warehouſe keeper and porter to ſir Randolph Knipe. That during the informant's 12 years employment under ſir Randolph, above an hundred ſhips had arrived from Ruſſia, Riga, and Peterſburgh, with hemp and flax, on ſir Randolph's account; in ſome of which, the land-waiters had allowed him 20 tons more than was entered, who were always paid accordingly."

"Mr. Gilbert Higginſon, who has been in the tobacco trade about 20 years, on his examination informed the committee, that he knows very great frauds and abuſes have been committed both in the importations and exportations of tobacco; but chiefly occaſioned between certain merchants and certain officers; and he really believed from particular informations, ſome perſons have diſcharged their bonds, with about two thirds of the number of hogſheads they imported; and that the revenue hath ſuffered by ſuch practices, the beſt part of 100,000 l. per annum in this port of London for ſome years laſt paſt; beſides a great deal of prejudice done to the fair traders."

"This report and appendix take up 103 pages in folio, yet the committee obſerve, that the ſhortneſs of the ſeſſion would not allow them to make it ſo compleat, as they might otherwiſe have done; and that the number and intricacy of the various frauds, render a thorough diſquiſition almoſt impracticable."

traders,

Geo. II. 1733. traders, and the public, ranged on one ſide in favour of it; and none but the unfair traders and the tobacco-factors on the other." He next mentioned ſome very extraordinary inſtances of frauds committed in the tobacco trade, and then went on as follows.

"The ſeveral ſubſidies nnd impoſts now payable upon tobacco, by ſeveral acts of parliament for that purpoſe made, ſtand thus (here he went through and gave an account of the ſeveral acts of parliament for laying duties on tobacco, then he went on) by all which it appears, that the duties now payable upon tobacco on importation, amount to 6d. and one third part of a penny per pound weight; all which muſt be paid down in ready money upon importation, with the allowance of ten per cent. upon prompt payment; or otherwiſe there muſt be bonds given, with ſufficient ſureties, for the payment thereof; which is often a great loſs to the public, and is always a great inconvenience to the merchant importer. Whereas, by what I am to propoſe, the whole duties to be paid for the future will amount to no more than 4d. and three farthings per pound weight; and this duty not to be paid till the tobacco comes to be ſold for home conſumption. So that if the merchant exports his tobacco, he will be quite free from all payment of duty, or giving bond therefore, or finding out proper ſureties for joining in ſuch bond: he will have nothing to do but unload his tobacco on board a ſhip for exportation, without being at the trouble to attend for having his bonds cancelled, or for taking out debentures for the draw-backs; all which, I conceive, muſt be a great eaſe to the fair trader; and to every ſuch trader, the preventing of frauds muſt be a great advantage, becauſe it will put all the tobacco traders in Britain upon the ſame footing; which is but juſt and equal, and what ought certainly to be accompliſhed, if it be poſſible.

"Now in order to make this eaſe effectual to the fair trader, and to contribute to his advantage by preventing as much as poſſible any frauds in time to come, I propoſe, as I have ſaid, to join the laws of exciſe to thoſe of the cuſtoms, and to leave the one penny, or rather three farthings, per pound, called the further ſubſidy, to be ſtill charged at the cuſtom-houſe upon the importation of any tobacco; which three farthings ſhall be payable to his majeſty's civil liſt as heretofore. And I propoſe, that all tobacco, for the future, after being weighed at the cuſtom-houſe, and charged with the ſaid three farthings per pound, ſhall be lodged in a warehouſe or warehouſes, to be appointed by the commiſſioners of the exciſe

ciſe for that purpoſe, of which warehouſe the merchant importer ſhall have one lock and key, and the warehouſe-keeper to be appointed by the ſaid commiſſioners ſhall have another, in order that the tobacco may lie ſafe in that warehouſe till the merchant finds a market for it, either for exportation or home conſumption. And if his market be for exportation, he may apply to his warehouſe-keeper, and take out as much for that purpoſe as he has occaſion for; which, when weighed at the cuſtomhouſe, ſhall be diſcharged of the three farthings per pound with which it was charged upon importation; ſo that the merchant may then export it without any farther trouble. But if his market be for home conſumption, that he ſhall then pay the three farthings charged upon it at the cuſtomhouſe upon importation; and that then upon calling his warehouſe-keeper, he may deliver it to the buyer, on paying an inland duty of 4d. per pound weight to the proper officer appointed to receive the ſame. Geo. II. 1733.

"And whereas all the penalties and forfeitures to become due by the laws now in being for regulating the collecting of the duties on tobacco, or at leaſt all that part of them which is not given to the informers, now belong to the crown, I now propoſe, that all ſuch penalties and forfeitures, in ſo far as they formerly belonged to the crown, ſhall for the future belong to the public, and be applicable to the ſame uſes to which the ſaid duties ſhall be made applicable by parliament; and for that purpoſe I have his majeſty's commands to acquaint this houſe, that he, out of his great regard for the public good, with pleaſure conſents that they ſhall be ſo applied; which is a condeſcenſion in his majeſty, that I hope every gentleman in this houſe is fully ſenſible of, and will freely acknowledge.

"I know there has been an objection made, I expect to hear it again made in this houſe, againſt what I now propoſe. The objection is this, that a great many of his majeſty's ſubjects will be ſubjected to being tried, in a multitude of caſes, by the commiſſioners of excile, from whom there is no appeal but to commiſſioners of appeal, or to juſtices of peace in the country, all named by the king, and removeable at pleaſure; from whom the appellants cannot expect to meet with juſtice or redreſs. I am far from thinking there is any ground for this complaint; I am far from thinking that any man ever had a juſt reaſon to ſay that he was wronged, or unjuſtly dealt with, either by the commiſſioners of appeal, or by the juſtices of the peace at their quarter ſeſſion. But in order to obviate any objection of this nature, I propoſe, that all appeals in this caſe, as well as in all other caſes relating

to

Geo. II. 1733. to the exciſe, ſhall, for the future, be heard and determined by two or three of the judges to be named by his majeſty out of the twelve judges belonging to Weſtminſter-hall; and that in the country, all appeals from the firſt ſentence of his majeſty's juſtices of the peace, ſhall be to the judge of aſſize upon the next circuit which ſhall come into that country; who ſhall, in all caſes, proceed to hear and determine ſuch appeals in the moſt ſummary way, without the formality of proceedings in courts of law or equity. From ſuch judges, and from ſuch a manner of proceeding, every man muſt expect to meet with the utmoſt diſpatch, and with the moſt impartial juſtice; and therefore I muſt think, that what I now propoſe can be no inconvenience to thoſe who may thereby be ſubjected to the laws of exciſe; but that if there was formerly any ground of complaint, it may be a great relief to thoſe who are already ſubjected to ſuch laws."

Motion. He concluded his ſpeech with a motion, "that it is the opinion of this committee, that the ſubſidy and additional duty upon tobacco of the Britiſh plantations, granted by an act of the 12th of king Charles II. and the impoſts thereon, granted by an act of the 1ſt of king James II. and alſo the one third ſubſidy granted thereon, by an act of the 2d of queen Anne, (amounting in the whole to five pence and one third part of a penny per pound) for ſeveral terms of years in the ſeveral acts mentioned, and which have ſince been continued and made perpetual, ſubject to redemption by parliament, ſhall from and after the 24th day of June 1733, ceaſe and determine."

Alderman Perry ſpeaks. After this motion, Mr. alderman Perry, one of the members for the city of London, made a ſpeech, in which he endeavoured to invalidate moſt, or all, of the allegations brought by ſir Robert Walpole againſt the frauds committed in the revenue.

"It has been pretended, that the public has ſuſtained, and are ſtill in danger of ſuſtaining, great loſſes, by the method of granting bonds for the duties payable upon tobacco. This I had before heard hinted at by the honourable gentleman; and therefore I have lately had a meeting with ſeveral merchants in London trading in tobacco. We have examined that affair; and I can now tell that gentleman, that I have it in commiſſion from them to propoſe, that if the government will give us a diſcount of but 20,000 l. we will give undeniable ſecurity for the payment of all the bonds they are now poſſeſſed of, which are not become deſperate by the bondſmen being already gone off, or become bankrupts.

"As

" As to the fraud called ſocking, it has been already diſco- Geo. II.
vered, and is, I hope, prevented; but it is well known, that 1733.
it was the merchants that diſcovered it: the merchants went and complained of it to the commiſſioners of the cuſtoms; and the merchants joined and aſſiſted the officers of the cuſtoms, in putting an effectual ſtop thereto. This I muſt know, becauſe I had the honour to go at the head of ſeveral merchants, trading in tobacco, to the commiſſioners of the cuſtoms, to requeſt of them, that we might be allowed to give a gratuity to one of their officers who had been moſt inſtrumental in the detecting and preventing of that fraud; and accordingly, I myſelf paid that officer a very handſome ſum of money, which we all thought his diligence and integrity very well deſerved.

" As to the frauds committed at the weighing of the tobacco, either on importation or exportation, I am afraid they are too frequent: but as the tobacco is always weighed upon the public cuſtom-houſe keys, where cuſtom-houſe officers ſwarm like bees before a hive, and as there muſt be two or three officers attending and over-looking the weighing of every caſk of tobacco, we cannot ſuppoſe that theſe frauds were ever ſo enormous as they are repreſented to be. Whatever frauds are committed in that way, muſt be either by neglect or colluſion of the officers; and I cannot ſee how the ſcheme now propoſed to us, will make the officers, either of the cuſtoms or the exciſe, more diligent in their duty, or more faithful in their truſt, than they were heretofore. As to the re-landing of tobacco, after it has been entered for exportation, it was never pretended that that was practiſed at the port of London; nor can it be pretended that any great quantities of ſuch tobacco were ever conſumed in London. That is a practice that may, perhaps, have been frequent in the northern parts of the iſland, and in ſome diſtant creeks and corners of the coaſt: and while there is ſuch a vaſt diſproportion between the prime coſt and the duties on tobacco, I may propheſy, that in ſuch remote places, this will always be a practice. It could not be prevented by ten times the number of officers we have, even though we had a much more numerous army to ſupport them than we have at preſent: and as for the ſtripping, cutting, and preſſing the ſtalks, and the engine that has been invented for that purpoſe, if the honourable gentleman mentioned it as a fraud, or as a late diſcovery, he miſtakes it very much; on the contrary, it is no fraud, nor is it a late diſcovery; it is a buſineſs that has been openly, honeſtly, and publicly carried on for many years; it is a

buſineſs

Geo. II. 1733. buſineſs that has improved our tobacco trade, and is as common and as well known as the buſineſs of a woollen or linen-draper.

"Permit me now to take ſome notice of the tobacco-planters, and of the hardſhips they are laid under by their tobacco factors, who are, it ſeems, now become their lords and maſters: I am ſure none of them ever thought of complaining, till they were put upon it by letters and applications from hence. There are hardſhips in all trades, which men muſt neceſſarily ſubmit to, or give up their buſineſs; but every man that underſtands the tobacco trade, muſt ſee that the hardſhips the factors labour under, are by much the moſt numerous and the moſt grievous; and if this ſcheme ſhould take effect, they will become ſo grievous, that no man would be able to continue in the trade, by which the planters would be utterly undone, and the trade quite loſt to this nation: for it will be impoſſible for them to manage their plantations, or to ſend their produce to Britain, without having ſome conſiderable merchants ſettled here, to ſend ſhips to receive the ſame in America, to receive and diſpoſe of it after it is landed here, and to ſupply them with ready money till their tobacco can be brought to a proper market. As to the remonſtrance mentioned by the honourable gentleman to have been lately ſent over by the tobacco-planters, I know it was obtained by a letter ſent from hence; and I believe many of thoſe who joined in it, now heartily repent of what they have done: it was drawn up in form of a petition to this houſe, and was deſigned to have been preſented; but it ſeems the promoters of it have thought better of the matter: however, that it was obtained in the unfair manner I have repreſented, I am now ready to prove, to the conviction of the whole world.

"This then being the caſe, as the ſcheme now propoſed to us cannot be ſuppoſed to be of any great benefit to the public revenue, as it will be ſo far from being an advantage to the fair trader or to the honeſt planter, that it may probably ruin both, and entirely deſtroy our tobacco trade; though I, and all honeſt men (and I defy that honourable gentleman, I defy the whole world to reproach me with one unfair practice in the whole courſe of my life) I ſay, though I and all honeſt men wiſh from our hearts that frauds may be prevented in this as well as in every other branch of the public revenue, yet I cannot give my aſſent to a propoſition that may be of ſo dangerous conſequence; a propoſition which I look upon to be inconſiſtent with our conſtitution: I am convinced

convinced it would prove a moſt fatal ſtroke to the liberties of my country, which will, I doubt not, be made plainly appear by other gentlemen of much greater abilities than mine; and to every man who has a regard for his country, or for the people he repreſents, this laſt muſt be a ſufficient reaſon for being againſt it, even though it were otherwiſe the moſt beneficial ſcheme that had ever been propoſed. Geo. II. 1733.

"But ſince I look upon my being a member of this houſe, as the greateſt glory of my life; ſince I look upon that day on which I was choſen one of the repreſentatives of the city of London, as the moſt auſpicious day of my whole life, I cannot tamely ſit ſtill and hear the whole body of the merchants of that great city repreſented by that honourable gentlemen as a pack of rogues, ſmugglers, and unfair traders: it is a treatment they no way deſerve; it is a very odd, a very unkind ſort of treatment; and ſuch a treatment as I am ſure they never will forget, and, I believe, never will forgive."

Character of ſir Paul Methuen:

The next who ſpoke was ſir Paul Methuen. He was a man of as much perſonal weight with all parties as any member in the houſe. He ſeldom ſpoke upon any occaſion, and therefore when he did ſpeak, he was the better heard. He had neither apparent enmity nor attachment to the miniſter, and therefore, his declaring himſelf, as he did, againſt the ſcheme, made a great impreſſion upon the houſe, and ſtartled even the miniſter himſelf. It is, however, more than probable, that at this time he was a good deal ſowred with the court, which he thought had not ſufficiently conſidered his ſervices abroad. Theſe, undoubtedly, were very great; and though Mr. P. was then conſidered as being at the head of the oppoſition, yet both he and all the wiſeſt heads of the party thought ſir Paul Methuen the moſt conſiderable man; nor did any of them ſcruple to own it in private. Sir Paul had no great fluency of expreſſion; but his long reſidence at foreign courts, and his known experience in buſineſs, gave an air of ſolemnity, if not dignity, to his manner that was very affecting.

Subſtance of his ſpeech.

In his ſpeech upon this occaſion, he ſaid nothing perſonal againſt the miniſter; but he thought that the eſtabliſhment of an exciſe upon tobacco (for that part of the ſcheme was then only before the committee) was a wide ſtride towards a general exciſe, which he ſaid would be dangerous to the liberties of England. He maintained, that the power of the crown had been greatly encreaſed ſince the revolution; and he thought, that the liberties of moſt nations in Europe had been loſt through the eſtabliſhment of ſuch ſchemes

Geo. II. 1733. ſchemes as were then before the committee. He then talked with great moderation; exhorting the miniſter to delay puſhing the ſcheme for ſome months, till it could be known how the nation would reliſh it; and he concluded with the warmeſt proteſtations of his perſonal love and loyalty for his majeſty, who he was afraid would be hurt in the affections of his ſubjects, ſhould the power of the miniſter thruſt the ſcheme down the throats of the people.

Sir Philip York:

Sir Philip York, the attorney general, ſpoke next in favour of the ſcheme. He thought that gentleman had miſapprehended the queſtion, which was no other than, whether the frauds that had been complained of, and indeed had been admitted, ſhould, or ſhould not, be prevented. He ſaid, that there could be no manner of connection between any danger to the conſtitution and the ſcheme in queſtion; nor was it poſſible to find out any liberty that could be ſtruck at by it, but the liberty of ſmuggling: "for," continued he, "as to national liberty, as to that liberty which has always been, and always will be, the glory of the people of theſe kingdoms, it is certain that our public revenues are its greateſt ſecurity: how then can that ſcheme be ſaid to tend towards the deſtroying of liberty, which ſo evidently tends towards the improvement of that upon which our liberty manifeſtly depends?" He then proceeded to ſhew, that the ſcheme was intended for the relief of the landed intereſt; and that ſo far from hurting his majeſty in the affections of his ſubjects, it would eſtabliſh him, were it fully known and thoroughly underſtood: becauſe it was ſo calculated, that no honeſt man in England, and no fair trader, would be obliged to pay one ſhilling more to the government than what the law directed. He ſhewed, that there was no more danger in the laws of exciſe than in thoſe of the cuſtoms; and ridiculed, very juſtly, the fears which gentlemen ſuggeſted, as if the addition of 126 little exciſe officers (for no more were propoſed to be added) would ever endanger the liberties of England.

Subſtance of his ſpeech.

He next proceeded to anſwer the objections brought from the hardſhips of trying the ſubject by the laws of exciſe. He thought, that this objection was in a great meaſure removed by the method propoſed of all trials being held in Weſtminſter-hall, and not before the commiſſioners of exciſe, and that the Magna Charta does preſcribe trials by juries, yet that the wiſdom of the legiſlature has thought fit, in many inſtances, to deviate from that rule; witneſs the proceedings in chancery, and in the high court of admiralty. "Now," continued he, "if ever there was a reaſon, in any caſe, for alter-

tering the antient method of trial by juries, I am ſure there is a very ſtrong reaſon for altering it with regard to trials concerning the revenue. Every gentleman who has been in the leaſt converſant in the courts of Weſtminſter-hall, well knows the partialities of juries in favour of thoſe who are ſued by the crown for any frauds in the public revenue." He then gave an inſtance of a ſmuggler who was tried in Weſtminſter hall by a jury upon as full evidence as could poſſibly be in any caſe, and yet was acquitted. "So that really," ſaid he, "the crown never can pretend to prevent ſmuggling or unfair trading, as long as the trials are to be for the moſt part by juries; and where it becomes neceſſary to alter that method of trial, the altering it in that new caſe can no more be ſaid to be an innovation or an incroachment on our conſtitution, than the altering of it formerly in another caſe was." Geo. II. 1733.

Sir John Barnard made a great figure in this debate; he undertook to prove, that if the laws then in being were duly executed, they would anſwer all the purpoſes propoſed by exciſing tobacco. For this purpoſe he called for the commiſſioners of the cuſtoms, who attended at the door; and being brought into the houſe, they were aſked by ſir John, what they thought the value of the frauds committed in the tobacco trade, might amount to one year with another? Their anſwer in effect was, That they had never made any computation; but one of them ſaid, that by a computation he had made, only to ſatisfy his own private curioſity, he believed the frauds come to their knowledge might amount to 30 or 40,000 l. per annum one year with another. Then ſir John put the following queſtion to them, Whether or not it was their opinion, that if the officers of the cuſtoms performed their duty diligently and faithfully, it would not effectually prevent all, or moſt, of the frauds that could be committed in the tobacco trade? To which they anſwered, that it was their opinion it would. Then he aſked them, Whether or no it was their opinion, that if the commiſſioners of the cuſtoms had the ſame power over their officers that the commiſſioners of the exciſe have over theirs, it would contribute a great deal towards making them more exact and more faithful in the diſcharge of their duty than they now are? And their anſwer was, that they believed it would.

Sir John Barnard's examination of the commiſſioners of the cuſtoms.

Every man of candour and diſcernment immediately ſaw, that had ſir Robert Walpole been the all-engroſſing miniſter his enemies repreſented him to be; had he uſed that deſpotic power which his enemies accuſed him of exerciſing over

Obſervation.

Geo. II. 1733. all who depended upon him, he never would have ſuffered the commiſſioners of the cuſtoms to have given their opinions ſo flatly contradictory to his favourite ſcheme. Sir John proceeded to make great advantage of the anſwers which the commiſſioners had given to the houſe; and in reply to what ſir Philip York had advanced, he thought that the appeal lying to the judges of Weſtminſter-hall, was of little or no ſervice to the ſubject, becauſe of the expence attending it, and becauſe he thought that judges, as well as others, might be under an undue influence from the crown. He then ſpoke in favour of the method of trial by juries; and concluded upon the whole, that ſhould the ſcheme take place, it will be ſubverſive of the liberties of England.

Sir Joſeph Jekyll ſpeaks.

Sir Joſeph Jekyll, maſter of the rolls, ſpoke next. As he was a man very unlikely to favour either the miniſter or any unconſtitutional propoſal, his opinion, which was in favour of the ſcheme, had the more weight; for he thought, that the appeal being made to the judges in Weſtminſter-hall, ſufficiently blunted the ſeverity of the exciſe laws; and that the ſingle conſideration before the committee, was how to prevent the enormous frauds practiſed in collecting the revenue.

Mr. Heathcoat; ſubſtance of his ſpeech.

Mr. Heathcoat, one of the aldermen of London, gave his opinion againſt the ſcheme, becauſe he thought that the virtues of his preſent majeſty and the royal family, were not a ſufficient ſecurity againſt what might happen in after-times; and that the laws of exciſe were too arbitrary to be conſiſtent with the conſtitution of a free people, if farther extended.

Mr. Pulteny's ſpeech.

Mr. Pulteny entered into the debate with great vigour and ſpirit; and puſhed, to the utmoſt, the advantages which the popular notions gave him, as if the ſcheme before the committee had been inconſiſtent with the liberties of the people, and was deſigned to ſubvert the conſtitution of the nation. "I wiſh," ſaid he, "the gentlemen who appear ſo zealous for this ſcheme, would have ſome little regard to their conſtituents. It is well known that it was the cuſtom among our anceſtors, when any new device was propoſed, to deſire time to have conference with their countries: I am but very little converſant in books of law; however, I ſometimes look into them; and I muſt beg leave to read a paſſage or two on this ſubject from my lord Coke. That great lawyer, in the fourth part of his Inſtitutes, page 14, ſays, It is alſo the law and cuſtom of the parliament, that when any new device is moved on the king's behalf, in parliament, for his aid, or the like, the commons may anſwer, that they tendered the

king's eſtate, and are ready to aid the ſame; only in this new device they dare not agree without conference with their countries; whereby it appeareth, that ſuch conference is warantable by the law and cuſtom of parliament. And again, in p. 34, he tells us, At the parliament holden in 9 Edward III. when a motion was made for a ſubſidy of a new kind, the commons anſwered, That they would have conference with thoſe of their ſeveral countries and places, who had put them in truſt, before they treated of any ſuch matter. If ſuch a conference was ever neceſſary upon any occaſion, it is ſurely neceſſary before we agree to the device *now* offered to us." Geo. II. 1733.

He concluded with obſerving, that even a conference of that kind was unneceſſary, becauſe the conſtituents of the houſe of commons had already ſufficiently declared their abhorrence of it; and therefore he hoped that the gentlemen of the committee would reject it with that ſcorn and contempt which it deſerved.

Sir William Wyndham's ſpeech upon this head was very perſonal againſt the miniſter. He begun, as all the oppoſers of the ſcheme had done, with a general declamation againſt the laws of exciſe; he thought that the pretence of eaſing the landed intereſt, was a mere trap thrown out by the miniſter; and that the extenſion of exciſe laws, and the increaſe of officers that muſt attend it, were much more dangerous to the nation than the frauds that had been alledged were prejudicial to the revenue. He then went back to the reign of queen Elizabeth, whom he repreſented as taking care to avoid every thing that appeared to be diſagreeable to her people. "The miniſtry aſks," ſaid he, "Why do you complain of this ſcheme? Here is no new tax to be impoſed; there is nothing propoſed but only a new method of raiſing thoſe taxes which are already due by law: but I would have gentlemen remember, that this nation has once already been more grievouſly oppreſſed by a new method of raiſing and collecting that money that was before due by law, than they ever were by any new tax that was ever laid on them. I have already mentioned the reign of queen Elizabeth; let us but look a little further back, and we ſhall find that the people were moſt terribly harraſſed, and the nation almoſt deſtroyed, by a grievous method of collecting and raiſing that which was due by the laws then in being. Empſon and Dudley, thoſe two noted ways and means men, thoſe two wicked miniſters, knowing the avarice of their maſter, and the inſatiable deſire he had for money, concluded that no ſcheme would be Subſtance of ſir William Wyndham's ſpeech.

Geo. II. 1733. more agreeable to him than thoſe which would fill his coffers by draining the purſes of his ſubjects; and this they did, without impoſing any new taxes; they laid no new or illegal burdens on the people; they did it by a ſevere and rigorous execution of the laws that had been before enacted: but what was their fate? They had the misfortune to outlive their maſter; and his ſon, as ſoon as he came to the throne, took off both their heads. In this he did juſtly, though he did it againſt law: they had done nothing contrary to law; they had only put the laws ſeverely in execution; and what they did was in obedience to the command of the king his father: yet that could be no excuſe for them; their manner of executing thoſe laws was ſo grievous and oppreſſive upon the ſubjects, that nothing leſs than their lives could be admitted of as a ſufficient attonement to the people: and certainly that oppreſſion, which is committed under the ſanction of the laws, or of the royal authority, muſt always be deemed the moſt heinouſly criminal, and ought to be the moſt ſeverely puniſhed."

Sir Robert Walpole's reply,

This ſpeech was very ſmartly replied to by Sir Robert Walpole, who made a very clear, and, indeed, a very juſt diſtinction, founded upon the truth of hiſtory, between his own caſe and that of Empſon and Dudley, who had, by virtue of old and obſolete laws, moſt unjuſtly extorted great ſums of money from people, who, as was pretended, had become liable to great pains and penalties by having been guilty of breaches of thoſe obſolete laws which for many years before had gone entirely into diſuſe. "I hope, ſaid he, that moſt of thoſe that hear me, think, that it is very unjuſt and unfair to draw any parallel between the characters of thoſe two miniſters and mine, which was, I ſuppoſe, what the honourable gentleman meant to do, when he brought that piece of hiſtory into the debate. If I ever endeavour to raiſe money from the people, or from any man whatever by oppreſſive or illegal means; if my character ſhould ever come to be in any reſpect like theirs, I ſhall deſerve their fate: but while I know myſelf to be innocent, I ſhall depend upon the protection of the laws of my country; as long as they can protect me I am ſafe: and if that protection ſhould fail, I am prepared to ſubmit to the worſt that can happen. I know that my political and miniſterial life has by ſome gentlemen been long wiſhed at an end; but they may aſk their own diſappointed hearts, how vain their wiſhes have been; and as for my natural life, I have lived long enough to learn to be as eaſy about parting with it, as any man can well be."

He

He then declared, that he did not look upon the clamour raiſed without doors againſt the ſcheme to be the ſenſe of the people. "Circular letters," ſaid he, "were wrote and ſent by the beadles in the moſt public and unprecedenred manner, round almoſt every ward in the city, ſummoning them upon their peril to come down this day to the houſe of commons. This I am certain of, becauſe I have now one of thoſe letters in my pocket, ſigned by a deputy of one of the greateſt wards in the city of London, and ſent by the beadle to one of the inhabitants of that ward; and I know that ſuch letters were ſent in the ſame manner almoſt to every liveryman and tradeſman in the ward. By the ſame ſort of unwarrantable methods have the clamours been raiſed almoſt in every part of the nation." Geo. II. 1733.

and unguarded expreſſions.

He then concluded with the following remarkable but uncautious expreſſions. "Gentlemen may ſay what they pleaſe of the multitudes now at our door, and in all the avenues leading to this houſe; they may call them a modeſt multitude if they will; but whatever temper they were in when they came hither, it may be very much altered now, after having waited ſo long at our door: it may be a very eaſy matter for ſome deſigning ſeditious perſon to raiſe a tumult and diſorder among them; and when tumults are once begun, no man knows where they may end; he is a greater man than any I know in the nation, that could with the ſame caſe appeaſe them: for this reaſon I muſt think, that it was neither prudent nor regular to uſe any methods for bringing ſuch multitudes to this place, under any pretence whatever. Gentlemen may give them what name they think fit; it may be ſaid that they came hither as humble ſupplicants; but I know whom the law calls ſturdy beggars; and thoſe who brought them hither, could not be certain but that they might have behaved in the ſame manner."

puts the houſe in a ferment.

Theſe expreſſions put the houſe into a great ferment; and the truth is, that however ill-timed they were, there was but too much reaſon for them. The ſtairs leading to the houſe, the court of requeſts, and all the adjacent places, were full of tumult; and it was with the danger of their lives, that any who were friends of the ſcheme had either egreſs or regreſs. This undoubtedly was an incroachment upon the freedom of the parliament; nor did the rank or the intereſt of the parties alter the nature of it. It was with ſome difficulty that the houſe was brought into temper enough to reſume the debate. The miniſter's friends thought themſelves inſulted, and his enemies could not bear the opprobrious expreſſions he had

Reflection on the tumults without doors.

Geo. II. 1733.

made uſe of. At laſt ſir John Barnard ſaid, "I know of no irregular or unfair methods that were uſed to call people from the city to your door; it is certain that any ſet of gentlemen or merchants may lawfully deſire their friends, they may even write letters, and they may ſend thoſe letters by whom they pleaſe, to deſire the merchants of figure and character to come down to the court of requeſts and to our lobby, in order to ſollicit their friends and acquaintance againſt any ſcheme or project which they think may be prejudicial to them. This is the undoubted right of the ſubject, and what has been always practiſed upon all occaſions. The honourable gentleman talks of ſturdy beggars; I do not know what ſort of people may be now at our door, becauſe I have not lately been out of the houſe; but I believe they are the ſame ſort of people that were there when I came laſt into the houſe; and then, I can aſſure you, that I ſaw none but ſuch as deſerve the name of ſturdy beggars as little as the honourable gentleman himſelf, or any gentleman whatever. It is well known, that the city of London was ſufficiently appriſed of what we were this day to be about: where they got their information, I do not know; but I am very certain that they had a right notion of the ſcheme which has been now opened to us; and they were ſo generally and zealouſly bent againſt it, that whatever methods may have been uſed to call them hither, I am ſure it would have been impoſſible to have found any legal methods to have prevented their coming hither."

Vindicated by ſir John Barnard.

Such was the ſubſtance of the famous debate upon this ever memorable ſcheme; but all the art of the oppoſition was unable to elude the facts upon which it was brought in, or to fix upon any one principle contained in it, that was dangerous to the liberties of the ſubjects. At laſt the committee came to a diviſion, and 266 voted for the ſcheme, and 205 againſt it. The following reſolutions were then agreed to in conſequence of the firſt reſolution moved for by ſir Robert Walpole, and carried, viz. "That it was the opinion of that committee, that in lieu of the ſaid duties, (viz. thoſe mentioned in the firſt reſolution) ſo to be determined, there ſhould be granted to his majeſty an inland duty of fourpence per pound upon all tobacco imported from the Britiſh plantations, to be paid before the taking the ſame out of the warehouſe. That it was the opinion of that committee, that the inland duties, to be raiſed and levied upon tobacco, ſhould be appropriated and applied to the ſame uſes and purpoſes as the former duties upon tobacco were appropriated

Diviſion in the committee.

priated and applied. That it was the opinion of that committee, that all fines, penalties, forfeitures, aad ſeizures, to ariſe by the ſaid duties, ſhould be applied to the uſe of the public, except ſo much thereof as ſhould be allowed to the informers and proſecutors." Geo. II. 1733.

Great debates.

Though thoſe queſtions were thus carried in the committee, yet the majority, upon the diviſion, was not ſo conſiderable, as to encourage them abſolutely to go through with this ſcheme: the debate laſted till two in the morning. The tumults in all the adjacent courts and places continued, ſome of the principal inhabitants of London headed the rioters, and the ſmalleſt ſpark of provocation from the friends of the ſcheme would have ſet all on a conflagration. It was plain from the inſtructions, that from all quarters of the country were ſent up to the members, that the diſlike, or rather the abhorrence of the ſcheme, was general, and that the people looked upon it to be a prelude to the introduction of arbitrary power. The miniſter, however, was far from deſpairing of reconciling the unprejudiced part of the houſe to it.

Report of the committee.

For on the 16th of March, when ſir Charles Turner, the chairman, had reported to the houſe the reſolutions the committee had come to, in regard to the duties upon tobacco, the debate was renewed with great violence. Sir John Barnard endeavoured to make it appear, that the propoſed ſcheme was very inſufficient to prevent the frauds complained of, and that ſmuggling ſtill would continue, where there was a high duty upon any commodity. He approved of the ſcheme of warehouſes, which, he ſaid, the fair traders of London deſired of all things, but without any exciſe; he even ſaid, "that he brought the clauſe into the houſe for that purpoſe, and ſhewed it to ſeveral, and to ſir Robert Walpole; but it was laid aſide on account of ſome differences ariſing amongſt the merchants themſelves: as to what the civil liſt, ſaid he, may get by this ſcheme, it will depend entirely upon the effect the ſcheme may have in relation to the preventing of frauds; but it is certain, that if the public revenue get any thing by the ſcheme, the civil liſt will get in proportion, or rather more; for what is now propoſed, that part of the duty, which goes towards the civil liſt, is ſtill to be payable upon importation at the cuſtom-houſe, and to be drawn back on exportation as before. Now it is manifeſt, that this will be a great advantage to the civil liſt, and often a great inconvenience to the merchant; for once in every ſix weeks, that money will be carried to the exchequer, and when once it is lodged there, I believe it will there remain; it will never be

Geo. II. 1733.

ſent back to the cuſtom-houſe, to anſwer any occaſion there may be for it at that place; ſo that when the merchant comes to export a quantity of tobacco, and to call for his drawback, if the commiſſioners have none of that civil liſt money in their hands, they cannot apply the produce of any other branch of the public revenue to that uſe, and therefore the merchant muſt wait for his drawback till ſome new tobacco's be imported; by which means the crown may often have the uſe of that money, which ſhould have been applied to the payment of the merchant, perhaps for near a twelvemonth at a time; and the lying out of that money for ſo long a time, may often happen to be of dangerous conſequence to the merchant's credit."

Mr. Bacon of Cambridge.

This is all that was advanced material in the renewed debate upon this ſubject. Mr. Bacon, of Cambridge, anſwered the ſpeech of Mr. Horatio Walpole, for agreeing with the committee, and lord Harvey ſpoke for the ſame. But the moſt remarkable ſpeech in favour of the ſcheme, was made by ſir Thomas Robinſon, who, after opening the neceſſity of the ſcheme, and ſhewing the various inconveniencies of the preſent method of collecting the duties on tobacco, proceeded as follows.

Sir Thomas Robinſon.

"Were not the charges in the bills of ſale from the factor to his planter, a very great hardſhip on the latter? According to all thoſe I have ſeen, they never amounted to leſs than twenty five per cent. and oftener to much more on the whole neat produce returned to the planter for his tobacco. I don't mean to accuſe the factor of taking an extravagant or unjuſt gain on his head; but what I think we are now contending to remove, is the pretence for, and the foundation of, theſe charges, which have been ſo greatly detrimental to that trade, and ſo great a hardſhip on your Virginia and Maryland planters, who now ſend you a merchandize, that proves to this nation, by the great quantities re-exported to foreign markets, a very beneficial branch of your commerce, and if ſomething be not now done in their behalf, I am told by very good hands, we ſhall run the riſque of loſing this ſtaple of tobacco: then it will be too late to conſider what methods are beſt for collecting the duties on it; and therefore, were there no other motive for this bill, this conſideration alone would weigh greatly with me, to make a trial at leaſt of the method now propoſed, for giving a relief to ſo conſiderable a part of your American colonies."

"Now I am up, ſir, give me leave to remind gentlemen, that, as the law now ſtands, four pence three farthings neat money,

money, at leaſt, is paid on each pound weight of tobacco immediately on importation, though the importer takes the advantages of all the diſcounts on prompt payment, otherwiſe the duty comes higher; but by this ſcheme, the whole duty will be at the higheſt but four pence three farthings per pound weight, and will not be demanded, till the tobacco is taken out of the warehouſe for home conſumption, and therefore may ſometimes not be paid till eighteen months or two years after the landing of the tobacco: let therefore who will advance the money, this further credit given by the public for the payment of the duty, muſt be a certain benefit to this trade; and thus by poſtponing the payment of the duties till ſo much nearer the time of conſumption, the dealers in tobacco will be enabled, and ought to afford it to the conſumer on more reaſonable terms." Geo. II. 1733.

"If then this ſcheme be found to be no real detriment to the fair merchant, and a certain benefit to the planters, I believe in another particular it will be a demonſtrable advantage to the public, I mean an improvement of the revenue. But what appears to me pretty extraordinary, is, to hear that improvement urged as one of the chief objections againſt the whole ſcheme, becauſe the civil liſt revenue will alſo of courſe receive ſome increaſe. Give me leave to ſay, that whatever appearance of weight there might have been in this objection before the ſcheme was known, yet now when it comes to be conſidered, that the crown in return gives up to the public all forfeitures and ſeizures, this objection can be of little weight. But ſurely this could never have been thought a ſufficient objection for the legiſlature to refuſe a remedy againſt the known frauds practiſed in the collection of the public revenue, becauſe it would have prevented thoſe practiſed againſt the crown; eſpecially when even this improvement of the king's income is no more than what was in effect granted by the parliament, when they appropriated the produce of thoſe duties to his majeſty for life."

"But ſince it is ſaid, that this alteration in the method of collecting the duty on tobacco, will be ſuch an augmentation to the revenue, though no new tax be laid on, nor an addition made to any one in being, it may be aſked, From whence this augmentation will ariſe? To this the bare enumeration of the ſeveral frauds at preſent practiſed in the collection of this duty, would be a ſufficient anſwer, eſpecially, if we conſider the large ſum, which the frauds that have actually been diſcovered yearly amount to, and that it cannot be ſuppoſed, that one fifth part of the frauds which have really

Geo. II. 1733. really been committed, have ever come to the knowledge of the publick, or thoſe entruſted with the collecting of this duty; but as the honourable gentleman, who opened this debate in the committee, has ſo fully and ſo demonſtrably ſhewn the particulars of theſe unlawful tranſactions, and as there are in this houſe ſo many gentlemen, thoroughly acquainted with the courſe of the public revenues, who can ſpeak more minutely to the nature of theſe frauds, than I am capable of doing, I ſhall not enter into a detail of them, but only take notice, that there have been ſome inſtances, where a tripple fraud has been committed in the diſpoſal of the ſame individual parcel of tobacco; he, indeed, who practiſes this method, muſt be very adroit in the buſineſs of ſmuggling, but it is certain, it has been practiſed; the unfair trader has contrived to receive the full duty twice from the public, without having ever paid it once to the public: he has received from the government the drawbacks upon a quantity of tobacco, which he found means to import, without paying any duty; and by again running the ſame tobacco from Holland in ſmall parcels, he has a ſecond time received the drawbacks from the conſumers, by ſelling it to them as if the duties had been honeſtly paid; and the difficulty to prevent this kind of frauds, as there is but one check in the cuſtoms, is almoſt inſurmountable; ſince in ſome caſes, the unfair dealer in tobacco may very well afford to give ſuch bribes to the cuſtom-houſe officer, as will even more than compenſate to him the loſs of his place, if he ſhould be diſcovered."

"So that in this light, the parties in this conteſt are the public, the planter, and the fair trader, on one ſide, and the unfair dealer only on the other. It is a duty the nation pays; the planter and the fair dealer feel the inconvenience of it, but the benefit is intercepted by the fraudulent dealer, and in this view your land conſumers of tobacco have doubly paid the duty; they have paid it once, by buying the tobacco at an advanced price, as if the duty had been paid by the ſeller, and again by a future call upon them by the legiſlature, to make good the deficiency, occaſioned by the frauds of the ſellers; ſo that by this method of taxation, a duty has been laid on one ſubject, which another has by artifice, not only prevented coming into the public purſe, but has converted towards the ſupporting or enriching of himſelf."

"But there is another reaſon, which will have the greateſt weight with me, for coming into this propoſition, and that is, becauſe I think, that in its conſequences, the landholders

of

of Great Britain will find a conſiderable relief. As long as I can remember, I have always heard the land-tax complained of, as one of the moſt unequal and moſt grievous of our taxes; unequal, as it is only paid by a part of thoſe who poſſeſs property in Great Britain, and ſo great a diſproportion is there in this particular, that as our property is now divided, I believe one may ſay, the money ariſing by this tax, is paid only by five out of ſix of thoſe who poſſeſs the riches of this nation; and it has hitherto been the more grievous, as there was no proſpect that any one of this generation would have been relieved from the burthen of it. From land alone, ſixty four millions and a half have been raiſed ſince the revolution, and an eſtate of 1000 l. a year fully ſeſſed ſince that time, has paid 6,450 l. which ſum amounts to near one ſixth part of the whole produce of ſuch an eſtate in that time; ſo that by taking it at an average, the landholders of theſe eſtates thus ſeſſed, have paid very near a ſixth part of the groſs produce of their eſtates for forty-four years ſucceſſively, which bears no manner of proportion to what has been paid by any other ſet of men, towards defraying the charges of the government ſince that time. This has always been moſt juſtly reputed a grievance upon the landholders; yet now when a ſcheme is offered, which, as it appears to me, would be a certain relief to the landed intereſt, a new language, a new opinion has ſtarted up, and prevails at leaſt without doors, that the lands of Great Britain ſhould ſtill continue to carry that burthen, which, till very lately, all mankind were unanimous they ought to be relieved from." Geo. II. 1733.

This ſpeech was anſwered by ſir Thomas Aſton, by a declamation againſt exciſe officers in general, the influence of whom, he ſaid, "he had felt ſeverely in his own election." He then repreſented the propoſed extenſion of the exciſe laws, "as big with future calamities to the liberties of England." Several other ſpeakers debated for and againſt the bill: but they ſaid little more than repeating the ſame arguments. It is certain, that the argument which made the greateſt impreſſion both within and without doors, was the danger ariſing to the conſtitution, from the extenſion of the exciſe laws, or an increaſe of revenue officers. The men of ſenſe in the one party, ſecretly laughed at this argument, while the other advanced it; but it was not in the power of thoſe of the other party to remove the prepoſſeſſions which it raiſed, though it was viſible, that the propoſed additional officers were ſo few, that they could create little or no influence in elections, and that the powers of the crown would in many Sir Thomas Aſton.

re-

Geo. II. 1733.

reſpects be rather diminiſhed than increaſed by this ſcheme, ſhould it take place. At laſt, after the great ſpeakers had exhauſted all their eloquence, for and againſt the bill, the trying queſtion was put to the houſe, to agree with the committee upon the firſt reſolution, which was carried in the affirmative, by a majority of 249 againſt 189.

Remark upon the queſtion.

The laws of hiſtory do not require the giving the names of the voters for and againſt this ſcheme, liſts of whom were then moſt induſtriouſly circulated all over the united kingdoms. It is ſufficient to ſay, that names as reſpectable for virtue, for patriotiſm, and for a regard to the Britiſh conſtitution, as ever appeared in the annals of England, are to be ſeen amongſt thoſe who voted for the ſcheme. It is likewiſe certain, that ſeveral gentlemen of great eminence, who then voted againſt this ſcheme, upon cooler reflection, afterwards wiſhed that it had taken place.

A bill ordered in.

The other reſolutions were agreed to in courſe without any diviſion; and ſir Robert Walpole, as chancellor of the exchequer, when the fourth reſolution was read, ſignified to the houſe his majeſty's conſent, "that the houſe might do as they ſhould think fit, in relation to the fines, penalties, forfeitures, and ſeizures, therein mentioned." A bill was then ordered to be brought in, purſuant to the reſolutions, by ſir Charles Turner, ſir Robert Walpole, ſir Philip York, attorney-general, Mr. Talbot, ſollicitor-general, Mr. Doddington, Mr. Clayton, ſir William Yonge, ſir George Oxenden, Mr. Scrope, and Mr. Edward Walpole.

Caution of the miniſter.

It cannot be denied, that the power of the miniſter was then great in England, and that he had the ſucceſs of this ſcheme much at heart. It is likewiſe certain, and never has been contradicted by his greateſt enemies, that had he puſhed it, he might have got the bill paſſed into a law; but he was too wiſe, and too tender of the public peace, to endanger it. For, between the time of the bill being ordered to be brought in, which was March the 18th, and April the 4th, when it made its firſt appearance in the houſe of commons, the public was ſo heated with papers and pamphlets, that matters roſe next to a rebellion. Many members, who had not been preſent at the grand debate, and ſome who altered their opinion, declared againſt the ſcheme, and thereby the two parties came nearer to an equality.

When the bill was brought in, it was objected, that ſome parts of it were foreign to the reſolutions of the houſe, and it was therefore moved, that the bill ſhould be withdrawn. Upon this queſtion the houſe divided, and it paſſed in the negative,

gative, by a majority of 232 againſt 176. A motion was then made for the houſe adjourning, which was likewiſe carried in the negative, by a majority of 237 againſt 199. A third motion was then introduced, that the bill be read a ſecond time, and the ſame was carried in the affirmative, by a majority of 236 againſt 200. Thus the majority for the bill gradually diminiſhed into thirty-ſix voices, and many of the miniſter's friends, though they were reſolved never to abandon him, thought it far more eligible for him to drop the bill. Geo. II. 1733.

Character of Barber, then mayor of London.

For, by this time, Mr. Barber, who was then mayor of London, had called a common council, to petition againſt the bill. This Barber had been a printer, and grew into confidence and riches, through his being employed by lord Bolingbroke and the tory miniſtry at the latter end of queen Anne's reign. His parts were as mean as his extraction, which was of the loweſt; and it was publicly known, that he had made ſome journeys abroad, either for the pretender's intereſt or his ſervice. As zeal againſt the government, however, was all that was required upon this occaſion, he had procured a copy of the bill, and a flaming petition to the houſe of commons was drawn up againſt it, ſetting forth, "That your petitioners, on occaſion of the bill depending in this houſe, for repealing ſeveral ſubſidies, and an impoſt now payable on tobacco of the Britiſh plantations, and for granting an inland duty in lieu thereof, preſume in all humility to expreſs to this houſe, as they have already done in ſome meaſure by their repreſentation to their members, the univerſal ſenſe of the city of London, concerning any further extenſion of the laws of exciſe; that the burthen of taxes already impoſed on every branch of trade, however chearfully born, is ſeverely felt; but the petitioners apprehend, that this burthen will grow too heavy to be born, if it be increaſed by ſuch vexatious and oppreſſive methods of levying and collecting the duties, as they are aſſured, by melancholy experience, that the nature of all exciſes muſt neceſſarily produce; that the merchants, tradeſmen, and manufacturers of this kingdom, have ſupported themſelves under the preſſure of the exciſe laws now in force, by the comfortable and reaſonable expectation, that laws, which nothing but public neceſſity could be a motive to enact, would be repealed in favour of the trade of the nation and of the liberty of the ſubject, whenever that motive ſhould be removed, as the petitioners preſume it effectually is, by undiſturbed tranquillity at home, and a general peace, ſo firmly eſtabliſhed abroad: that if this expectation be entirely taken away; if the exciſe laws, inſtead of being

Geo. II. 1733. being repealed, are extended to other ſpecies of merchandize not yet exciſed, and a door opened for extending them to all; the petitioners cannot in juſtice to themſelves, to the merchants, tradeſmen, and manufacturers of the whole kingdom, and to the general intereſt of their country, conceal their apprehenſion, that the moſt fatal blow, which was ever given, will be given on this occaſion, to the trade and navigation of Great Britain: that that great ſpring, from which the wealth and proſperity of the public flows, will be obſtructed, and the mercantile part of the nation will become not only leſs able to trade to advantage, but unwilling to trade at all; ſince no perſon, who can enjoy all the privileges of a Britiſh ſubject out of trade, even with a ſmall fortune, will voluntarily renounce ſome of the moſt valuable of thoſe privileges, by ſubjecting himſelf to the laws of exciſe; that the petitioners are able to ſhew, that theſe their apprehenſions are founded both in experience and reaſon, and therefore praying that the houſe will be pleaſed to hear them by their council againſt the bill."

Other petitions againſt the ſcheme.

A petition thus artfully drawn up, could not fail of having great effects with the public, eſpecially as it was ſeconded by others in the ſame ſtrain from Briſtol, and all the capital towns in the kingdom. As the ſheriffs of London had always a right to be admitted to the bar of the houſe, to preſent petitions from the city, they were admitted up on this occaſion, and the petition being read, a motion was made, "that it ſhould lie upon the table, until the ſaid bill be read a ſecond time, and that the petitioners be then heard, by their council againſt the ſaid bill, if they think fit." This motion, which was made by ſir John Barnard, was oppoſed on the part of the miniſter, who thought it both unconſtitutional and inconvenient to receive petitions, and to admit council to be heard againſt any bill, for the impoſing of taxes upon the ſubject. That as every body of men in the kingdom muſt be affected by every new tax, the houſe could never proceed in raiſing the neceſſary ſupplies, if petitions were received, and council heard for all the repreſentations that would come before them. It was inſiſted upon, that in matters of money and taxations, every body of men in the kingdom had a council in his repreſentative, who would not fail to inform the houſe whenever any hardſhips were offered to be impoſed by the houſe upon their conſtituents.

Debate about receiving the London petition.

Reaſons againſt it.

Sir William Yonge.

Mr. Winnington.

This was the ſubſtance of the arguments urged by ſir William Yonge, Mr. Winnington, and others againſt hearing council for the petition, which had come down to the houſe, attended

attended by a larger train of coaches, than ever had been known upon the like, or any other, occaſion. Geo. II. 1733.

The debate on the other ſide was managed by Mr. Sandys, Mr. Gibbon, and Mr. Bootle, all of them experienced members, and greatly converſant in precedents. They urged, "that as the bill depending was by its own friends pretended to be no money bill, nor any new taxation bill, but only an alteration of the method of aſcertaining certain duties to the crown, it was highly abſurd to rank it under any other claſs. That admitting it to be a money-bill, many precedents were upon the journals of parties being heard by council againſt ſuch bills, when they conceived they might be aggrieved by them. That as to the inconveniency of parties multiplying, ſo as it would be impoſſible for the houſe to proceed on buſineſs, if council was to be heard upon ſuch occaſions, it was eaſy for the houſe to order all the petitioners to be heard at one time, and to reduce the points they were to ſpeak to, within a ſhort compaſs. That many worthy members in that houſe were no orators, nor ever opened their mouths in public, they therefore could not take the proper care of the intereſts of their conſtituents. That even admitting the bill to be a money-bill, and that it was unuſual for the houſe to hear council againſt ſuch bills, yet when ſo conſiderable a body of men, as all the citizens of London, were ſo materially intereſted, no uſage or precedent ought to ſtand in the way of their being heard."

Arguments for it. Mr. Sandys. Mr. Gibbon. Mr. Bootle.

To ſupport this laſt reaſoning, no fewer than fourſcore precedents were read from the Journals to prove, that petitions had been received againſt money-bills, and that the petitioners had been heard by their council. On the other hand, the friends of the bill brought ſeventeen precedents of petitions, being either rejected, or refuſed to be brought up, when againſt money-bills. Some of theſe were very recent. One of the laſt ſeſſion, when the city of Briſtol's petition againſt the revival of the ſalt-duty, was not ſuffered to be brought up; another, when a petition of the agent for the colony of Rhode-Iſland and Providence plantations in America, againſt the ſugar iſlands bill, was not only not ſuffered to be brought up, but the houſe, to ſhew their diſapprobation of all ſuch applications, however they might be even favoured with precedents, had put a negative upon a motion, "That a committee be appointed to ſearch precedents in relation to the receiving or not receiving petitions againſt impoſing of duties," which was evidently ſome part of the purport of the bill before them. Theſe reaſons at laſt determined the houſe

Precedents read.

to

Geo. II. 1733.

to refuſe to hear council againſt the bill, and the petition was ordered to lie upon the table till the bill ſhould be read a ſecond time, by a majority of 214 againſt 197.

Queſtion carried againſt the petition.

This diviſion at laſt determined the miniſter. He could not hope that the majority ever would be greater, and a queſtion ſo important, carried by ſuch a majority, was worſe than loſt. In his coming to, and return from, the houſe, he had been inſulted in the moſt outrageous manner; and at one time his life was ſaved by Mr. Cunningham, a Scotch member, who had the courage to draw his ſword, and keep off the mob, till his friend eſcaped. His majeſty, for this ſeaſonable piece of ſervice, ſoon after rewarded him with the government of Jamaica.

Great danger of ſir Robert Walpole from the mob.

More petitions againſt the exciſe ſcheme, which is dropt.

Next day, viz. April 11th, petitions of the ſame import with that of London, were preſented to the houſe from Nottingham and Coventry. But when the ſerjeant attending the houſe had collected together all the members for the ſecond reading of the bill, ſir Robert Walpole made a motion for putting it off till the 12th of June next.

Reflection on ſir Robert's moderation.

This proof of moderation, (which was conſidered as dropping the bill) notwithſtanding the ſuperiority he and his friends had ſhewn in point of fact and argument, during the debate, ought to have contented his enemies. But that was far from being the caſe, either within or without doors. Some of the members in the oppoſition thought their triumph to be incompleat, unleſs the bill was ſtigmatized, by being rejected; but they were unable to bring this propoſal even into a motion. On the other hand, though the miniſter had, in fact, given up the bill, he acquired freſh intereſt and credit with many of his friends, who had been ſtartled by the violence of clamour, as they ſaw him ſo tender of carrying a favourite meaſure againſt the inclination of the people. The rejoicings without doors was carried to a pitch of barbarous indecency all over the kingdom, particularly in the city of London, where the miniſter was ſolemnly burnt in effigy; the Monument was illuminated, and no ſpecies of brutal inſolence againſt the friends of the bill was omitted.

The miniſter, notwithſtanding the repeated danger he had lately run, of being aſſaſſinated, continued to behave with the utmoſt moderation. For, though he could eaſily have proceeded in the ordinary form of law againſt the rioters, yet he was contented next day with his friends moving for three reſolutions, which the houſe agreed to unanimouſly. The firſt declared, "that the aſſaulting, inſulting, or menacing, any member of the houſe, in his coming to, or going from, the

Reſolutions againſt the rioters.

the houſe, upon account of his behaviour in parliament, is a high infringement of the privilege of the houſe, a moſt outrageous and dangerous violation of the rights of parliament, and a high crime and miſdemeanor." The ſame cenſure was paſt againſt "the aſſembling and coming of any number of perſons, in a riotous, tumultuous, and diſorderly manner to the houſe, in order either to hinder or promote the paſſing of any bill, or other matter depending before the houſe." The ſame was likewiſe paſt againſt "the inciting and encouraging any number of perſons to come in a riotous, tumultuous, and diſorderly manner to the houſe, in order either to hinder or promote the paſſing any bill or other matter depending before the houſe." Theſe reſolutions and declarations were ordered to be ſignified to the Lord-mayor of London by the members for that city; to the ſheriff of Middleſex by the members for that county, and to the high bailiff by the members for Weſtminſter. It is remarkable, that thoſe reſolutions and declarations were founded upon what had happened upon like occaſions, in the 8th and 12th years of the reign of king William; yet in the latter caſe the rioters were proceeded againſt with great ſeverity, and ſome of them were committed to priſon and proſecuted. Geo. II. 1733.

Reflection.

Thus ended a project which in cooler times ſince has been thought would greatly have advanced the intereſt of the fair trader as well as that of the revenue, inſomuch that the moſt exceptionable parts of the ſcheme have in another ſhape ſince paſſed into a law; and that too at the requeſt, and upon the application, of thoſe who were moſt forward in oppoſing this meaſure: ſo prevalent are ſounds over the minds of a miſguided, heated populace.

Proceedings in the houſe of peers.

The oppoſition in the houſe of peers were unwilling to let ſlip ſo fair an opportunity as the dropping the tobacco-bill (for no part of the ſcheme relating to wine had been laid before the houſe) was, to attack the miniſter, and render him farther odious. For on the 30th of May, a motion was made in the houſe of lords to reſolve, "That it is the opinion of this houſe, that the produce of the ſinking fund ſhould be applied, for the future, towards reducing ſuch taxes as are moſt grievous to the ſubject, oppreſſive to the manufacturer, and detrimental to trade." This motion occaſioned a long and a warm debate; in which all the arguments we have already ſeen for taking money from the ſinking fund were repeated, as likewiſe the arguments againſt it. The lords, however, who ſupported the motion, ſaid, that a great diſtinction lay between the intereſt of the creditors of the public

Debates about the ſinking fund.

Geo. II. 1733. lic and the intereſt of the nation; for though the former might find it for their intereſt not to draw their money out of the public funds, yet it never could be the intereſt of the nation that taxes ſhould be perpetuated, which muſt be the caſe if the money of the ſinking fund ſhould continue to be alienated.

The anſwer to this was, that the taking money from the ſinking fund, was, in fact, no alienation of it from the purpoſes of its firſt eſtabliſhment; and that the intereſt of the nation could not be more effectually conſulted than by eaſing the landed intereſt, which was done by applying part of the money of the ſinking fund to the current ſervice of the year.

The motion being rejected, amongſt other reaſons, for being a motion for a reſolution very improper for a houſe of peers to come to; a ſtrong proteſt was entered by 18 lords, in which they very clearly and ſincerely ſtated all that had been urged for the motion; but the moſt remarkable paſſage was the cloſe of the proteſt, which was directly levelled at the miniſter [a].

Proteſt.

Debates about the South-ſea company.

It muſt be acknowledged, that the affairs of the South-ſea company were at this time run into ſome diſorder. The miniſter was not ignorant of this, and would have ſhewn his reſentment at the directors (which he often did in private) yet he had forborn to teſtify any public mark of it, for fear of bad conſequences to the national credit. They were accuſed, or rather ſuſpected, of having made unwarrantable dividends which the company was not able to ſupport, and which giving a fallacious value to their ſtock, had drawn in multitudes to be defrauded. That they had as much money in their hands, as with the ſale of four millions of their ſtock

[a] It ran thus: This hope muſt ſink, and deſpair ariſe in its ſtead. We inſiſt with great concern and earneſtneſs on this point, from our obſervation of what has lately paſſed on the occaſion of attempts being made to extend the cruel and arbitrary methods practiſed under the laws of exciſe, and naturally, and neceſſarily, as we apprehend, flowing from them. If any new law of this kind has paſſed elſewhere, we perſuade ourſelves it could not have prevailed in this houſe: but we think it the more incumbent upon us, after ſuch an attempt, and ſuch national reſentment expreſſed againſt it (both which are of public notoriety) to promote, as effectually as we are able, the quiet and happineſs of his majeſty's reign, by cutting off any hopes or fears which may be ſtill entertained, that ſuch a project will ſome time or other ſucceed: and to this good and laudable end, we conceive that nothing would have contributed more than ſuch a ſolemn declaration of the ſenſe of this houſe, as is contained in the queſtion.

to

to the bank, and by other means, might have enabled them to have paid off the debt owing to the company of five millions four hundred thousand pounds; and yet, that, by the influence of the minister and his creatures, who were in the direction, they had left great part of their debt, on bonds at interest, unpaid; and that, without knowledge of the proprietors, they had dissipated all the produce of the estates forfeited by the late directors, to the amount of two millions three hundred thousand pounds; and besides that, had brought a new debt of two millions upon the company, to the diminution of the value of the capital of every proprietor's stock, to the prejudice of orphans, and the reversionary heirs of the said estates. Geo. II. 1733. Charges against them.

Other particulars of less importance, were likewise laid to their charge; particularly buying, selling, creating and issuing of bonds, and irregularly employing the company's cash, while the proprietors were forced to pay interest for money borrowed of the bank. At the same time, a bill was actually depending for dividing the capital of the company, three-fourths into annuities, and leaving the remaining fourth to be a trading stock, with a large debt and unliquidated demands upon it, which rendered it impossible to ascertain its value; and that, consequently, if the said bill should pass, it might encourage stock-jobbing, and be the ruin of thousands.

The house of peers had already entered into an enquiry into the management of the company's directors; but the season was now too far advanced to do any thing that was effectual in it. A motion therefore was made, and the question put, "Whether a select committee shall be appointed of twelve lords, to be chosen by ballot, to examine into the transactions and proceedings of the South sea company, from the 2d day of February 1720, and to lay their report before the house." It was understood, that this committee was to have power to sit, and proceed in business during the recess of the two houses, which was now at hand. Enquired into. Committee moved for.

The majority of the house of peers were of opinion, that it would endanger public credit in the highest degree, to appoint a committee with such dangerous powers as to be able to inspect the books not only of the company, but of all the directors of it, and all who had, or might be supposed to have, any connection with them; and that too, before any complaint of mismanagement had regularly come before them, either from the proprietors, or from a general court, by whom the directors complained of, had been chosen. It was, besides, Opposed.

Geo. II. 1733. apprehended, that their proceeding in that manner might give umbrage to another houſe, to whom ſuch an enquiry more naturally belonged, and who could not be ſuppoſed ignorant of the affairs of the company. Beſides, the enquiry, which, in itſelf implied a cenſure, could not be gone into, conſiſtent with the faith which the parliament was obliged to obſerve with the company, before a regular complaint came before them; and many reaſons were offered to convince the friends of the motion, that they had miſapprehended the ſtate of the company through their ignorance of the motives of the directors. For theſe and a great many other reaſons the motion was rejected; but a very ſtrong proteſt againſt rejecting it was entered by 22 peers.

and loſt.

Proteſt.

State of the affairs between the South-ſea company and England and Spain.

This tenderneſs ſhewn by the lords towards the directors of the South-ſea company was the more prudent, becauſe it is certain that, at this time, their affairs had a very unpromiſing aſpect, and the company might have been ruined, had any ſevere meaſures been purſued with regard to the directors. They had laid a ſtate of their bonds before a general court, by which it appeared, that upwards of ſeven hundred thouſand pounds had been paid off, and that upwards of two hundred thouſand pounds not then brought, were ready to be paid off on demand.

The public, however, was, at this juncture, greatly prepoſſeſſed againſt the company, whom they ſuſpected of ſpiriting up the court of Spain to proceed in their depredations upon the Britiſh merchants trading in America, in order to ſupport their own excluſive privilege of ſending an annual ſhip to the Spaniſh Weſt-Indies.

Before this time, a Spaniſh regiſter-ſhip had been taken by the Deal Caſtle man of war, by way of repriſal. This touched the court of Spain to the quick. It had been always a fundamental maxim with them (and indeed the very exiſtence of their monarchy depended on their maintaining it) to preſerve the excluſive trade to their own colonies in America. This had been mutually ſtipulated by all the contracting powers at the peace of Munſter, and had been renewed by the treaty of 1670, commonly called the American treaty between Spain and England, which had been confirmed by all treaties ſince. But though the meaning of thoſe treaties undoubtedly was, that all nations, without diſtinction, excepting Spain, ſhould be excluded from trading with her poſſeſſions in America; yet Spain had been obliged, or perſuaded, to recede a little from it at the time of the treaty of Utrecht, by complying with the Aſſiento treaty in favour

Vol. XVIII. p. 145, 146.

of

of the South-ſea company, the privilege of which afterwards proving a loſing trade, a right was given to the company of ſending an annual ſhip, of ſtipulated dimenſions, to trade upon certain terms with the Spaniſh Weſt-indies. Geo. II. 1733.

This tranſaction was properly a contract between the court of Spain and the company, procured for the latter by the intervention of the crown of England, and therefore ought never to have been brought into any quarrel between the two nations; yet the South-ſea company's factors in the Spaniſh Weſt-Indies had orders to depart from thence in two months (which time was afterwards enlarged to four months) and their effects, which were very conſiderable, were threatned to be ſeized, if the regiſter-ſhip taken by the Deal Caſtle was not reſtored within that time.

The truth is, the court of Spain was ſo much wedded at this time to their excluſive ſyſtem of debarring all foreigners, upon any pretext whatever, from trading to their dominions in America, that they had come to a reſolution at any rate to put a ſtop to it. One Fitzgerald, commonly called don Geraldino, was then agent for the king of Spain in England. He was by extraction an Iriſhman; and having ſome experience as to the matters in queſtion between his maſter and the South-ſea company, he was more uſeful in the ſtation he held, than he could have been in any other; being a perſon, in other reſpects, of a very mean underſtanding. He had propoſed, by order of his maſter, to purchaſe the South-ſea company's right of ſending an annual ſhip to the Spaniſh Weſt-Indies; and propoſed to give the company two per cent. upon all the returns of the commerce of the Spaniſh flota and galleons, during the remainder of the time of the Aſſiento contract, for ſupplying the Spaniards with negroes. This propoſal, perhaps, would have been well reliſhed in the general court that was called to conſider of it, could they have got rid of their Aſſiento contract; which many of the proprietors were deſirous of. This being ſignified to Fitzgerald, he acquainted them, that if they inſiſted upon it, he was ready to treat with them in twenty-four hours upon that ſubject. But ſir John Eyles, the ſub-governor of the company, acquainted the court, that he apprehended the company had no power of making any bargain upon that head, till ſuch time, at leaſt, as proper opinions could be taken. The court being in the ſame way of thinking, the conſideration of the propoſal was poſtponed till next court day. This happened on the 19th of January this year.

Character of don Geraldino.

Propoſal from Spain,

dropt for that time.

Geo. II. 1733. But the affair ſtill meeting with difficulties, it was farther poſtponed.

Such were the true motives, upon which the houſe of peers had undertaken the enquiry. Some of them, undoubtedly, imagined that the miniſter was in concert with the Spaniſh agent; and that if the enquiry ſhould go forward, great matters would come out againſt him: but for this there was little or no ground. The true cauſe of the Spaniſh propoſition was the earneſt deſire they had to ſecure their own trade entirely to themſelves. It is certain, that the equivalent offered, far exceeded the benefit the company enjoyed by the Spaniſh American trade; and had the equivalent been accepted of, the miniſtry, perhaps, were of opinion, that matters being compromiſed between the court of Spain and the company, it would be more eaſy to preſerve peace, againſt the clamour for war, which was daily increaſing on account of the Spaniſh depredations.

Affairs of the South-ſea company.

Very little more buſineſs of note was tranſacted this ſeſſions. The bill for converting a farther part of the capital ſtock of the South-ſea company into annuities redeemable by parliament, paſt into a law, as did the act for the better ſecuring and encouraging the trade of his majeſty's ſugar colonies in America. Several other acts of great benefit to trade likewiſe paſſed this ſeſſion; nor did the miniſter ever attempt to diſappoint any national ſcheme whatever, that could be thought for public benefit.

Treaty of marriage between the princeſs royal and the prince of Orange.

An event of great importance was now upon the carpet, and came to light this ſeſſion of parliament. It was with ſome concern that his majeſty and the queen reflected upon the low ſtate of the proteſtant intereſt, at this time, in Europe. They ſaw the Dutch wholly engroſſed by France, and all the mutual advantages of the alliances between England and Holland in danger of being loſt to the proteſtant cauſe, unleſs ſuch an intereſt could be raiſed in Holland, as might counterballance that of France. Their majeſties, therefore, fixed their eyes upon the prince of Orange, as a proper match for their eldeſt daughter the princeſs royal; and he was encouraged to ſend over propoſals for that purpoſe, which his majeſty received favourably. He was a young prince of great virtues and great abilities; but his fortune being far inferior to his birth and his ſpirit, their majeſties ſhewed the greater magnanimity in poſtponing that conſideration to the public good. Accordingly, on the 8th of May this year, ſir Robert Walpole delivered to the houſe of commons the following meſſage from his majeſty, viz. "His majeſty having receiv-

ed,

ed, from the prince of Orange, propoſals for a treaty of marriage between the princeſs royal and the ſaid prince; and his majeſty having been pleaſed favourably to accept the inſtances made by the prince, his highneſs has ſent over a miniſter, inſtructed and authorized with full powers, to treat of and conclude the articles of marriage. His majeſty has therefore thought it proper to communicate this important affair to this houſe; and, as he makes no doubt but this marriage will be to the general ſatisfaction of all his good ſubjects, he promiſes himſelf the concurrence and aſſiſtance of this houſe, in enabling him to give ſuch a portion to his eldeſt daughter, as ſhall be ſuitable to the preſent occaſion; and may contribute towards ſupporting, with honour and dignity, an alliance that will tend ſo much to the further ſecurity of the proteſtant ſucceſſion to the crown of theſe realms, and to the proteſtant intereſt in Europe." Geo. II. 1733.

This meſſage, which was ſent upon the ſame day to both houſes, produced from both very loyal addreſſes of thanks and congratulation. That from the commons contained the following paragraph, viz. "The happy proſpect of ſeeing this alliance entered into, and concluded, with a prince whoſe family has always diſtinguiſhed itſelf in ſupport of the proteſtant religion, and in defence of the liberties of Europe, gives us the greateſt ſatisfaction. We remember with gratitude the great and infinite benefits procured to this nation by that illuſtrious houſe; and we cannot but promiſe ourſelves a further ſecurity to the proteſtant ſucceſſion to the crown of theſe realms, from the renewal of that union which gave birth to, and laid the foundation of this ineſtimable bleſſing." They then promiſed to ſettle a ſuitable portion upon her royal highneſs. Upon the addreſs being preſented, which was done by the whole houſe, they received a moſt gracious anſwer from his majeſty; and on the 10th of May the commons voted, that out of the money then remaining in the receipt of the exchequer, ariſen by ſale of the lands in the iſland of St. Chriſtophers, his majeſty be enabled to apply the ſum of eighty thouſand pounds for the marriage portion of the princeſs royal; which reſolution afterwards paſſed into a law. Addreſs upon the ſame from the commons.

The perſecution againſt the proteſtants in Germany, particularly the Saltzburghers, ſtill raging, it was thought by many public ſpirited gentlemen in England, that it would be good policy to grant thoſe unhappy people an aſylum in the Britiſh dominions in America, particularly in Georgia. This colony was then in its infancy, and through the indefatigable pains Affairs of Georgia.

Geo. II. 1733. of Mr. Oglethorp (afterwards lieutenant general) wore a promiſing aſpect. It had been ſettled by a royal charter in 1732, which conſtituted a body politic and corporate by the name of the truſtees for eſtabliſhing the colony of Georgia in America. The charter had likewiſe impowered them to erect the ſame into an independent province; and the truſtees, (who, by their own deſire, were reſtrained from taking any fee, ſalary, or profit whatſoever) alſo took ſubſcriptions, and collected ſuch monies as were contributed. They therefore, on the 10th of May, petitioned the houſe of commons, ſetting forth, "That many Saltzburghers and other perſecuted and diſtreſſed proteſtants, would be glad to go and ſettle in the ſaid province of Georgia, where they may find, under his majeſty's protection, an aſylum from perſecution and arbitrary power; but are unable, at their own charge, to tranſport themſelves thither: and as the ſettling them there will be a charity highly becoming this proteſtant kingdom, the employing them in raiſing rough materials for ſeveral of our moſt uſeful manufactures, with which none of our plantations, at preſent, ſupply us, will be of great ſervice to the trade of this nation, increaſe the number of his majeſty's ſubjects, and give further employment to our poor at home. And that the petitioners, notwithſtanding the benefactions of many well-diſpoſed and charitable people, find themſelves unable to ſend over any number of the ſaid diſtreſſed proteſtants, without the aſſiſtance of parliament; and therefore praying the houſe to take the premiſſes into conſideration, and grant ſuch relief therein as this houſe ſhall think meet."

Encouragement given to the Saltzburghers to ſettle there.

This petition was judged ſo reaſonable, that the parliament this year granted 10,000 l. to the truſtees out of the ſale of lands of the iſland of St. Chriſtophers, for carrying the purpoſes of it into execution.

On the 9th of June, a queſtion concerning the conſtitution of their houſe occurred to the commons. Lieutenant general Wade, member for the city of Bath, had accepted the office of governor of Fort William, Fort Auguſtus, and Fort George in Scotland. The queſtion, therefore, was, whether, by his accepting the ſaid office, his ſeat in parliament was vacated. The gentlemen in the oppoſition were clearly of opinion that it was, and were for appointing a committee to ſearch for precedents. On the other hand, it was ſaid, that the promotion of an officer already in the army, can be no diſqualification from ſitting in parliament. The former reaſoning was ſupported by precedents.

Debate about privilege.

It

It was found, that in the 7th of queen Anne, lord Shannon's seat for Arundel in Suſſex, was vacated by his being made deputy-governor of Dover Caſtle. And in the 9th of queen Anne, the earl of Hertford's ſeat for the county of Northumberland, was vacated upon his being appointed governor of Tinmouth Fort. Some other precedents of the ſame ſide were likewiſe read. On the other hand, a very ſingular caſe happened in the 7th of his late majeſty, when brigadier general Sandwix, member for Carliſle, was made governor of Kingſton upon Hull; for the houſe firſt found, upon a diviſion, that the ſame was no military promotion; and then a writ was ordered to be iſſued for a new election. Nay, upon the 22d of January laſt, general Wade's own ſeat for the city of Bath, was vacated upon his being made governor of the town of Berwick upon Tweed. Notwithſtanding this, a difference was found between the depending caſe and thoſe in the preceding. And it was moved for by the oppoſition, That the accepting a commiſſion of governor or lieutenant-governor of any fort, citadel, or gariſon, upon the military eſtabliſhment of his majeſty's guards and garriſons in Great Britain, by any member of this houſe, being an officer in the army, does vacate the ſeat of ſuch member in this houſe. But this paſſed in the negative by a majority of 96 againſt 18. This queſtion has been the more fully explained, becauſe it was deciſive of all future caſes of the ſame kind.

Geo. II. 1733.

Precedents read.

Adjuſted on a diviſion.

On the 11th of June, the bills being all ready, the king put an end to the ſeſſion in a ſhort, but ſevere, ſpeech againſt the authors of the heats and animoſities that had been lately ſpread through the nation. "I cannot," ſaid he, "paſs by unobſerved the wicked endeavours that have lately "been made uſe of to inflame the minds of the people, and "by the moſt unjuſt miſrepreſentations, to raiſe tumults "and diſorders that almoſt threatened the peace of the king-"dom; but I depend upon the force of truth, to remove "the groundleſs jealouſies that have been raiſed, of deſigns "carrying on againſt the liberties of my people; and upon "your known fidelity, to defeat and fruſtrate the expecta-"tions of ſuch as delight in confuſion. It is my inclina-"tion, and has always been my ſtudy, to preſerve the reli-"gious and civil rights of all my ſubjects: let it be your "care to undeceive the deluded, and to make them ſenſible "of their preſent happineſs, and the hazard they run of be-"ing unwarily drawn by ſpecious pretences into their own "deſtruc-

Seſſion ended by a ſpeech from the throne.

Geo. II. 1733.

"deſtruction." The parliament was then prorogued to the 26th of July.

Caſe and proceedings of the diſſenters.

An affair happened this year, which made a great noiſe with the public. The diſſenters having always eminently diſtinguiſhed themſelves in ſupport of the preſent eſtabliſhment, thought it was hard that they ſhould lie under the laſh of the diſqualifying laws of the corporation and teſt acts, which were originally meant only to diſqualify papiſts. They therefore had ſeveral meetings, and, at laſt, choſe a committee to conſider when, and in what manner, to apply for the repealing or explaining part of thoſe acts. The committee, who conſiſted of the moſt conſiderable and wiſeſt part of their perſuaſion, came to an almoſt unanimous reſolution, that, if it was at that time attempted, it was not likely to be attended with ſucceſs. Another general meeting being called, and ſome of the committee explaining themſelves, the ſenſe of the meeting went ſtrongly againſt the report, which was re-committed upon a motion from lord Barrington, one of the moſt leading men of that party. But his lordſhip propoſing to include the quakers and the anabaptiſts, and to add ſome of each to the committee, this put the gentlemen of the committee into ſo bad a humour, that moſt of them threw up their truſts: ſome of them, however, were perſuaded to reſume them; and at laſt the committee was re-eſtabliſhed, by adding four new members. After this the meeting, it appears, not being very orderly, lord Barrington moved, that the committee choſen ſhould be inſtructed to report their opinion to two perſons deputed by every congregation within the bills of mortality; which ſpace was voted to be extended to ten miles round London.

Though the miniſter and all his friends in both houſes were extremely well diſpoſed in favour of this application, yet he was afraid of encouraging it. The leaſt ſpark, conſidering the temper the nation was in, might have ſet it in a flame. He had ſeen what dreadful effects had attended the ridiculous outcry of the church being in danger; he knew the influence of his enemies without doors, and their readineſs to lay hold of every circumſtance that could diſtreſs his perſon or the public ſervice; and, which was greatly material, he was ſenſible that many well-wiſhers to his majeſty and the proteſtant religion in both houſes of parliament, would look with a very jealous eye upon any alteration of the laws in favour of the diſſenters.

He

He took great pains to explain all thoſe particulars to the chief men amongſt them, who came to ſollicit him for his intereſt, and he had the good fortune to ſucceed ſo well, as to convince them of the reaſonableneſs of their deſiſting from their application for that time. This was the true foundation of the report of the late committee; and when the new committee came to conſider the thing in the ſame cool light, they agreed with the former committee in the ſame opinion. This being reported to a general meeting of the deputies from the ſeveral meeting houſes within ten miles of London, they were ſatisfied with the juſtneſs of the report, and the matter was dropped. Geo. II. 1733.

Treaty between the king of Pruſſia and the prince of Orange.

We are now to attend foreign affairs. By the marriage between the princeſs royal and the prince of Orange, a finiſhing hand was put to the differences that had ſo long ſubſiſted between that prince and the king of Pruſſia, concerning the ſucceſſion to the eſtate of William the IIId. late king of England, by a treaty of accommodation and partition of the eſtate, which had been long depending, becauſe the prince of Orange was not of age. Upon its being concluded, the ſame, upon the requiſition of both parties, was certified by the States-General, the executors of king William's will. The foundation of this treaty was an equal partition of the eſtate.

The danger of the Dutch from worms.

The Dutch at the ſame time were viſited by a public calamity of worms, of a very ſtrange and dangerous nature. At firſt, they were almoſt imperceptibly ſmall, but after making lodgments in the ſtrongeſt piece, or plank, of timber under water, they became two, three or four, and ſometimes ſix inches in length, and then falling upon the timber, they hollowed it ſo, that it became utterly unable to reſiſt the force of the ſea. This deſtructive quality was firſt experienced in ſhips, but afterwards they fell upon the piles which defend Holland from the ſea, and their progreſs was ſo alarming, that it was feared they might get into the piles, upon which the city of Amſterdam is built, and thereby undermine it. This created ſuch a panic in that country, that the eſtates of Weſt-Friſeland ordered a faſt, to avert the viſitation. Thoſe pernicious inſects, however, gradually diſappeared, as the cold weather came in.

The Spaniſh Eaſt-India company.

But the Dutch ſoon after were alarmed by fears of a very different nature. For his moſt Catholic majeſty this year opened a new ſcheme of trade for his ſubjects, between Old Spain and the Philippine iſlands, which, in fact, encroached upon the trade of both the Dutch and the Engliſh, eſpecially

the

Geo. II. 1733.

the former, in that country; for every Spaniſh ſhip was allowed to carry out about 75,000 l. worth of ſilver, which was to be laid out in Eaſt-India commodities. The other cargoes were to conſiſt of wines, brandy, dyers wood, oils, almonds, figs, olives, and other fruits and produce of Spain; as alſo of hats, fine cloths, ſerges, camblets, barragons, carpets, and other cloths and ſtuffs, in which there is Spaniſh wool, made by foreigners, and of "ſuch other merchandizes, as they ſhall think moſt ſaleable at the places they are deſigned for:" in ſhort, of all merchandizes, which they ſhall think ſaleable at the places of their ſettled deſtinations. The duties upon exportation at firſt were to be but very ſmall, and only one per cent. upon money. The cargoes of the ſhips homeward bound were to conſiſt of copper, raw and thrown ſilk, bohea and green tea, China ware, damaſks, jewels, cottons, cloves, nutmegs, cinnamon, China root, rhubarb, cocoa, gums, borax, muſk, benjamin, and all ſorts of drugs and medicinal herbs, whereof there is great conſumption in Spain, and all over Europe. Raw ſilks were limited to a certain quantity to be imported, and were to be exported again, upon paying the duties. The new company were likewiſe to be at liberty to ſend what goods they pleaſed on board the flota, galleons, and regiſter-ſhips, to the Weſt Indies. The company had likewiſe many other particular privileges and regulations, and they were to have an excluſive liberty of trading both to the Philippine iſlands and the Eaſt-Indies: if their trade ſhould be found by experience not to be advantageous, they were at liberty to diſcontinue it; and the whole was confirmed by the faith of his Catholic majeſty's royal word.

Its conſtitutions and regulations.

The Dutch had the ſame objections to urge againſt the erection of this company, as they did againſt that of Oſtend, as being directly contrary to the 5th article of the treaty of Munſter, between his Catholic majeſty and the States-General [a].

On

[a] We muſt here take notice, that at the end of the 5th article of the treaty of peace, made at Munſter, in the year 1648, between the king of Spain and the States-General, there is the following remarkable clauſe, viz. "Moreover, it is ſtipulated and agreed, that the Spaniards ſhall confine their navigation in the Eaſt-Indies in ſuch a manner, as it is at preſent poſſeſſed by them, without having it in their power to extend the ſame any further; as alſo the inhabitants of the Netherlands ſhall abſtain from frequenting thoſe places, which belong to the Caſtilians in the Eaſt-Indies."

This is the clauſe which furniſhed the State:-General with a right to oppoſe the Eaſt-India company,

On the 1ſt of February, this year, died Auguſtus the IId. king of Poland, and his death opened a new, and dreadful, ſcene of war in Europe. The primate of Poland, who always acts as regent, during an inter-regnum, immediately endeavoured to reconcile all differences amongſt the grandees there, in order to proceed peaceably to a new election, and it ſoon appeared, that three parties had been formed; one in favour of Staniſlaus, another in favour of the elector of Saxony, the ſon of the late king, and the third was for chuſing a native of Poland, excluſive of Staniſlaus. This laſt party was but very inconſiderable, and it became evident, that the primate favoured Staniſlaus, and that the emperor of Germany and the empreſs of Ruſſia were reſolved, at all events, to exclude him from the throne of Poland. The emperor made ſome proteſtations in general, but the Ruſſians acted with leſs reſerve, and pretended, that they had a right to interfere in the election. The grandees of Poland, by the inſtigation of the primate, ſigned the form of a general confederacy, by which they bound themſelves to chuſe none but a native Polander for their king. Upon this, the Ruſſian miniſter departed abruptly to Peterſburgh, which left the primate more than ever at liberty to employ his intrigues and influence in favour of king Staniſlaus. Germany, Ruſſia, and Pruſſia, proteſted againſt the contingency of his election, upon pretext that he had been proſcribed and rendered incapable of ever wearing the crown. The emperor and the primate of Poland entered into a kind of a paper war, by which it appeared, that they would be on different ſides in the election. The empreſs of Ruſſia bullied the Lithuanians, who talked as loudly in favour of king Staniſlaus, and her giving orders for her troops to advance towards Warſaw, was ſo far from intimidating the prelate, that it haſtened his preparations for the election. This alarmed prince Wioſazowiſki ſo much, that he croſſed

Geo. II. 1733.

Affairs of Poland. Death of Auguſtus II.

Staniſlaus elected in his room.

company, erected by the emperor, and it gave them an undoubted right to oppoſe any company erected in Spain, for carrying on or enlarging their trade to the Eaſt-Indies. As the Dutch are, by the ſaid clauſe, poſſeſſed of a right to prevent the Spaniards from extending their trade in the Eaſt-Indies, further than it was at that time, they certainly have a right to oppoſe the erecting of any company in Spain, for trading to the Eaſt-Indies, becauſe at the time of that treaty, there was no ſuch company in Spain. But it is probable, that we may have occaſion to mention this ſubject again, and therefore we ſhall at preſent ſay no more of it.

Geo. II. 1733. the Viſtula with ſome of the elector of Saxony's noble adherents, attended by 3000 men. He was invited to return to the election, but before he had come to a reſolution, the guns from the walls of Warſaw proclaimed the election of king Staniſlaus, who had already diſclaimed all right to the crown by his former election.

It was natural for the king of France, ſon-in-law of Staniſlaus, to intereſt himſelf greatly in this affair. He had, ſo early as the 17th of March, declared in council, that as guarantee of the treaty of Oliva, he was reſolved to maintain the freedom of the election againſt any prince, who ſhould attempt to violate the ſame. This declaration, which was ſent to all the foreign miniſters, was applied by the emperor as levelled at himſelf, as it undoubtedly was. He therefore, in the ſame manner, publiſhed an anſwer to it, in which he re-echoes the French king's proteſtations of zeal for the liberties of Poland, and diſclaims any intention of violating the freedom of the election. He owns, however, that he had aſſembled a body of troops in Sileſia; but Sileſia was part of his own dominions, and as a ſovereign prince, he is accountable to none for what he does in his own territories. Thus each power profeſſed to have the ſame views, and to act upon the ſame principles, while each was making preparations to ſupport different intereſts. For, upon the publication of this anſwer from the emperor, all Europe was informed of the preparations France was making to march her troops towards the Rhine and the Moſelle, and to commence hoſtilities againſt the emperor. Mean while, king Staniſlaus was at his ſon-in-law's court. His preſence was abſolutely neceſſary in Poland, from whence he had the news of his election. He had but two methods to take; the one, was to go to Dantzick on board the French fleet; the other was to go to Warſaw, through France, by land. The firſt method was not only uncertain, but hazardous; and the laſt was ſo full of danger, being obliged to paſs for the moſt part through an enemy's country, that it was judged to be impracticable. By a ſeries, however, of dextrous management and romantic adventures, king Staniſlaus arrived by land at Warſaw on the 8th of September, and continued undiſcovered there till the 11th, taking proper meaſures with his friends for his future ſucceſs.

King Staniſlaus reaches Poland from France.

In the mean while, the French troops, under the command of the marſhal duke of Berwick, took fort Kehl, and thereby ſecured to themſelves a paſſage over the Rhine into Germany.

Succeſs of the French troops on the Rhine.

All

All Europe was at this time filled with manifeſtos of the ſeveral powers at war; each juſtifying his own conduct. One particularly was addreſſed by the French king, to the electors and princes of the empire, aſſuring them, "that he had no other intention in taking fort Kehl, but to be in a capacity to aſſiſt them as guarantee of the treaty of Weſtphalia, in caſe the emperor ſhould offer to oppreſs them." Soon after this declaration, the French miniſtry, who had been unwillingly drawn into the war, and who were now extremely intent upon promoting the commerce of their country, underſtanding that the merchants of Dunkirk were apprehenſive that the hoſtilities between France and the emperor might extend to the towns and cities of the Auſtrian Netherlands, and thereby ruin the trade of Dunkirk, the count de Maurepas wrote them a letter by his maſter's order, "permitting his ſubjects to continue their commerce with thoſe of the Imperial towns, and telling them, it was not the king's intention to begin acts of hoſtilities againſt the ſubjects of the Imperial Flanders: he then promiſes, that ſhould any change be made in that reſpect, the king will give the moſt effectual orders for ſecuring their commerce againſt the enterprizes that may be attempted to their prejudice." Geo. II. 1733.

Neutrality of the Auſtrian Netherlands.

The French were equally ſucceſsful in Italy, as they had been upon the Rhine: the ambition of the queen of Spain, which was for ever planning new acquiſitions to her family, had formed the project of an alliance between France, Spain, and Sardinia, for advancing her ſon don Carlos to the thrones of Naples and Sicily. This was a dreadful ſtroke upon the Imperialiſts. The French, at that time, had an army of near 30,000 regular troops, and the marſhal de Villars, the beſt officer in France, next to the duke of Berwick, was appointed to command them, under the king of Sardinia. On the 12th of October, the French troops began their march to paſs the Alps by Briançon, the valley of Barcelonette and Savoy; and joined the Sardinian troops in the Vigevano. Mean while, the duke of Parma declared himſelf of age, and the king of Sardinia publicly notified his joining with France, and endeavouring to reduce the exceſſive pride of the houſe of Auſtria.

Succeſs of the French in Italy.

On the 29th of October, his Sardinian majeſty arrived at Vigevano, where the confederate army lay. Upon his advancing the main body of his troops againſt Pavia, he underſtood that the German garriſon, which was in that city and caſtle, had abandoned both; upon which, they were ſur-

Geo. II. 1733.

rendered to his Sardinian majeſty. This determined the city of Milan to make its ſubmiſſion likewiſe; upon which his majeſty ſent a detachment of 9000 men to take poſſeſſion of the caſtle, and to block up the citadel. The important fortreſs of Pizzighitone was next reduced, as was, in the beginning of December, Cremona, with the caſtles of Frezza and Secco, and of the fort of Fuentez, all which was done with little or no oppoſition. The confederated army then marched to Milan, which they likewiſe took. A conqueſt ſo important, that marſhal de Villars that very afternoon ſet out to carry the news of it in perſon to his maſter. The marquis de Coigny, a French lieutenant-general, next took Novaro, which was expected to have made a vaſt defence; and about the ſame time the garriſon of Sarravale was obliged to ſurrender priſoners of war to the marquis de Maillebois. The allied army next made themſelves maſters of Guaſtalla, under pretence of preventing the Imperialiſts from ſeizing it, the duke of Guaſtalla being a ſovereign, and a neutral prince. Neither were the Spaniſh arms idle at this time. For, landing in Italy, they ſent a detachment, under the marquis de Caſtropignano, to beſiege the Imperial fortreſs of Aula, which was obliged to capitulate in a few days, and the garriſon ſent priſoners of war to Spain.

Milan and other places taken.

Character of ſir Benjamin Keene.

The ſcene of war and bloodſhed, which was now opened in Europe, was very inconſiſtent with the principles of the Engliſh miniſtry. Mr. Keene, the Britiſh reſident at Madrid, was then much truſted by ſir Robert Walpole. He had nothing reproachful in his birth, nor mean either in his appearance or addreſs: he knew the office part of buſineſs very well, and his great experience had rendered him perfectly well acquainted with all the differences ſubſiſting between the Engliſh South-Sea company and the king of Spain. By a long reſidence there, he thoroughly knew the characters and intrigues of that court; but the queen of Spain, being always jealous of him, he never had been able to gain any aſcendency in their councils; and if he did afterwards, it was owing to a lucky incident. Upon his negociations, a great deal at that juncture and afterwards depended; but the truth is, he was a much better agent than a miniſter: for he ſought to gain by expedients, many points which he ought to have urged upon the principles and the laws of nations, and upon the true meaning of the treaties ſubſiſting between the two crowns, into which he ſeems never thoroughly to have entered.

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He was inſtructed by his court, at this time, to endeavour to make matters eaſy between the emperor and the court of Madrid, which never had openly declared its reſentment upon what had happened, after the infant don Carlos was introduced into Italy; but he was anſwered, "that matters had gone too far for his Catholic majeſty to retract the meaſures he had laid down: and that the count de Montijo had orders to communicate to the Engliſh miniſtry, the reaſon of his Catholic majeſty's procedure." The count, accordingly, was furniſhed with a memorial for that effect, which he communicated to the Britiſh miniſtry, juſtifying the proceedings of the court of Madrid. From this memorial, the ambitious views of the court of Madrid were eaſily diſcernible. The firſt argument uſed in the ſame, related to what had happened in Poland, a country with which Spain could have little or no connection. Geo. II. 1733. King of Spain enters into the war againſt the emperor.

The Catholic king ſaid, "he could never be an eaſy and indifferent ſpectator of the extravagant ſeries of outrages and violent proceedings of the emperor and the court of Vienna, to cramp by their oppoſition the indiſputable liberty of the republic of Poland, by concealing, under the ſpecious pretence of maintaining that liberty, their real intention to ſubvert it; and all this to hinder a prince, that ought to be reſpected for the cloſe alliance, which binds him to the auguſt houſe of Bourbon, of which the Catholic king is one of the principal branches, from remounting his throne; or to take it away from him by violence, after his election and advancement. His Catholic majeſty's ſilence upon ſuch an important occaſion, after the notorious and diſhonourable excluſion of king Staniſlaus, ſhewed his juſt reſentment as plainly as the public declarations of the moſt Chriſtian king his nephew; and the grievances occaſioned by the inſupportable ambition of the court of Vienna, gave his royal mind as great uneaſineſs, as the generous ſtings for the maintenance of his honour. His Catholic majeſty imagined, however, that the emperor, conſidering the dangers of ſo ſcandalous an enterprize, and of the chimerical pretence of his ſuperiority, would deſiſt from the enormous deſign of affronting downright, and without any reaſon, the tickliſh forbearance of powers, which ought to divide amongſt them, the injuries offered to any one of them." His memorial on that head.

"Nevertheleſs, his Catholic majeſty, out of his great deſire of peace, and conſtant zeal for the public tranquillity, had recourſe to the mediation and guaranty of the king of Great Britain, for an amicable ſatisfaction for the inſults, damages,

Geo. II. and infractions, exerciſed in the territories, and againſt the per-
1733. ſon of the infanta of Spain, don Carlos, his ſon; but the empe-
ror's ambition was already beyond all bounds, and the court of Vienna, animated by the inſatiable fury of the ſupreme power, to which the general complaiſance of Europe had raiſed them, by ſuffering them to acquire ſo many vaſt dominions, did at laſt make uſe of extraordinary methods, to render fruitleſs a long negotiation for a friendly accommodation, which the Catholics waited for with a religious reſignation, by forming the difficult deſign of ſacrificing to their caprice, the ſovereignty of two great monarchs in the perſon of king Staniſlaus, and at the ſame time deſpiſing the wiſe and prudent propoſals of the king of Great Britain."

"The memorial then proceeds to recapitulate all the provocations his Catholic majeſty had received from the Imperial court, upon the death of the late duke of Parma, and acknowledges that the peaceful ſettlement of don Carlos in Italy, was wholly owing to the friendſhip of his Britannic majeſty. And accuſes the emperor with all manner of fraud and perfidy, and with ſtirring up the ſubjects of don Carlos to diſobey his authority. The emperor was likewiſe accuſed of publiſhing a reſcript, condemning the great duke of Tuſcany, for ſuffering don Carlos to receive the homage of his ſubjects, as lawful ſucceſſor to the duchy of Tuſcany. And don Carlos, in another reſcript, was condemned for reſuming the title of the great prince, tho', it ſeems, it had been allowed to him by the court of Vienna. His Catholic majeſty had complained of all theſe affronts to the king of Great Britain, who acknowledged the juſtice of his complaints, and uſed his good offices at the court of Vienna; and conferences were entered upon, to find out the propereſt means of procuring an honourable and friendly accommodation: but the continual delays, the ambiguous anſwers, the impracticable propoſals, the imperious terms made uſe of in the projects of the court of Vienna; the pretended diſtance between the courts, and the methodical dilatorineſs of that of Vienna, drew the negotiation to a great length; and it was as much as the Britiſh miniſters could do, to draw up a project the 21ſt of July, 1733. His Catholic majeſty's embaſſador approved of that project; but the emperor's refuſed to accept it, till he had received new orders from his ſovereign: his majeſty's miniſter conſented to this, after repeated proteſtations, that he would not come into any future captious delays, which might loſe the opportunity of the campaign. In this interval, the projected adjuſtment was diſpatched to the two courts;

courts; and though it was readily ſent back on the part of his Catholic majeſty, with his royal approbation, the anſwer of the court of Vienna was a long time in coming. This delay was attributed to the contrary winds, and to the extraordinary buſineſs of the miniſters at Vienna; but under this were concealed malicious views." Geo. II. 1733.

"In ſhort, at the time when people expected a condeſcenſion ſo deſirable, and ſo earneſtly ſollicited at the court of Vienna by the king of Great Britain, his Catholic majeſty having already approved of the project propoſed by his Britannic majeſty, an extraordinary courier arrived with a counter project or declaration, equally illuſory and injurious, like many others, which the haughtineſs of that court had formerly produced. The Catholic king's miniſter, ſurprized and provoked at a proceeding ſo extravagant and injurious, was obliged to declare, that he would break off all negotiation. The king of Great Britain knew what good ground there was for that miniſter's juſt complaint, and what great reaſon for his Catholic majeſty to be angry: however, though it muſt be ſome diſappointment to his Britannic majeſty to ſee of how little effect his officious endeavours had proved at the court of Vienna; yet his miniſters, always animated with the ſame zeal, would not neglect the making of all efforts to obtain of the Catholic king a new conſent to a delay of thirty days. But after a prudent reflection upon all that had paſſed, his Catholic majeſty foreſaw the prejudicial conſequences and the dangerous effects which might attend a farther condeſcenſion and forbearance, conſidering the repeated ſlights put upon the princes of the houſe of Bourbon. He found that it was indiſpenſably neceſſary, without loſs of time, to unite his forces with thoſe of the moſt Chriſtian king to make war upon the emperor, in order to revenge, by that means, their common grievances, and to recover the reſpect due to two monarchs, which the inſupportable ambition of the emperor had leſſened by ſo many exceſſes."

"His Catholic majeſty is of opinion, that after ſo many ſtudied delays, ſo many plain inſults on the part of the court of Vienna, and ſo much condeſcenſion on the part of that of Spain, the king of Great Britain cannot help approving the reſolution he has taken. He majeſty does not doubt, but his Britannic majeſty is very ſenſible how greatly his mediation has been affronted, and how greatly the ſovereignty of princes, who know no ſuperiority, has been deſpiſed. The Catholic king is likewiſe perſuaded, that his Britannic majeſty will be well pleaſed with the grateful ſenſe he has of his

Geo. II. 1733. laudable intention; and that he will contribute more than ever to the keeping up of an unalterable harmony, that the two nations may reap the advantages of a fair and uninterrupted commerce, and enjoy the satisfaction secured to them by the inestimable friendship of the two monarchs."

Preparations in Spain for invading Italy.

It appeared plainly enough from this memorial, that Spain was determined upon a war. Her preparations for that effect were prodigious; 16,000 foot, 4000 horse, and ten squadrons of dragoons, with proper trains of artillery, were destined to the expedition, and every thing now tended to war.

In the mean while the Dutch, who were dreadfully afraid of being involved in the troubles of Europe, did all they could to reconcile parties. They succeeded so far, as to procure a [a] convention of neutrality for the Austrian Netherlands,

[a] Their High Mightinesses have made known to his most Christian majesty, by their resolution of the 26th of August 1733, that at the same time that they have not concerned themselves, in any manner, either directly or indirectly, with the affairs of Poland, and that they design to have nothing to do with those affairs, nor with the broils which may ensue therefrom; they hope his most Christian majesty will consent, that the Austrian Netherlands, of which his Imperial majesty is at present in possession, and which are to serve as a barrier to their republic, shall not be involved in the war which may happen upon occasion of the affairs of Poland. His most Christian majesty, to give their royal mightinesses a mark of the pleasure he takes in the conduct they have observed, and of his desire that they should enjoy the tranquillity they endeavour to procure to themselves, has declared, and does declare, that he will not attack the Austrian Netherlands, of which his Imperial majesty is at present in possession, and which, according to the treaties, are to serve as a barrier to the republic; his said most Christian majesty reserving to himself the liberty of repulsing the hostilities which may be committed by his Imperial majesty's troops in the Austrian Netherlands, in such manner, that without breaking in upon the neutrality stipulated, and without designing to make any settlement in the Netherlands, he may secure his frontiers; and in order thereunto, make use of the needful and convenient means according to the law and usages of war. Their High Mightinesses, on their part, declare, that they will have no concern in the affairs of Poland, nor the differences which the said affairs have occasioned, or may hereafter occasion, the whole without prejudice to the alliances they have with the emperor as they have with France, and from which alliances on both parts, they do not intend to derogate. Their High Mightinesses farther declaring, that they will not neglect any office to prevent every thing

lands, which at firſt met with ſome obſtruction from the court of Vienna. After this they continued a negotiation at Paris, by Mr. Van Hoey, for a general peace. But he was told by the French, that his Imperial majeſty being the offending party, muſt make the firſt overtures. Such was the ſtate of affairs in Europe, when the parliament of Great Britain opened on the 17th day of January 1734[a]. Geo. II. 1733-4.

His majeſty's ſpeech run chiefly upon the critical ſtate of affairs of Europe, with the neceſſity of the Britiſh nation acting with circumſpection and prudence, and maintaining itſelf in a proper poſture of defence. At the ſame time his majeſty told the houſe of commons, "I ſhall order the eſtimates "to be laid before you of ſuch ſervices as require your preſent and immediate care. The augmentation, which will "be propoſed for the ſea-ſervice, will be very conſiderable; "but I am confident it will be thought by you reaſonable "and neceſſary. I muſt particularly recommend to your "care the debt of the navy, which has every year been laid "before you; but from the preſent circumſtances of the "times, I believe you will think it now requires ſome proviſion to be made for it, which cannot well be longer poſtponed, without manifeſt detriment to the public ſervice." Parliament meets. King's ſpeech.

thing that can affect the tranquillity of the Auſtrian Netherlands; and that they will not aſſiſt the emperor therein, either by their troops, or in any other manner whatſoever.

This convention, or act of neutrality, ſhall be ratified by his moſt Chriſtian majeſty and their High Mightineſſes within the ſpace of two months, or ſooner if it can be done.

In witneſs whereof, we the underwritten embaſſador of his moſt Chriſtian majeſty, and deputies of their High Mightineſſes the lords States General of the United Provinces of the Netherlands, have ſigned the preſent convention, and have affixed the ſeals of our arms thereto.

Done at the Hague the 24th of November 1733.

[a] Many perſons of great diſtinction died in the year 1733. On the 17th of January died George lord viſcount Torrington, ſo famous for the defeat he gave the Spaniards in the year 1718. Sir Charles Wager ſucceeded him as firſt lord of the admiralty.

January 22, died lord Foley; and the ſame day died the earl of Pembroke, who had gone through the greateſt offices of ſtate ſince the revolution. On the 25th of January died ſir Gilbert Heathcote. On the 19th of March died lord Raymond, lord chief juſtice of the king's-bench. On the 7th of May died the earl of Cholmondley: and in October died the junior dutcheſs of Marlborough; as did the dutcheſs of Ormond in September.

Geo. II. 1733-4. "As theſe extraordinary charges and expences are unavoidable, I make no doubt but you will effectually raiſe "the ſupplies neceſſary for defraying of them with that readineſs and diſpatch, and with that juſt regard to the true "intereſt of my people, which this parliament has hitherto "ſhewn upon all occaſions."

His majeſty then proceeds to recommend temper and unanimity, and for diſpatch in their buſineſs, that he may have the ſooner an opportunity of taking the ſenſe of a new parliament. He concluded as follows: "I am confident a little "time will effectually remove all groundleſs ſurmiſes, and it "will be found that Great Britain is always to act that "part which the honour and intereſt of the nation calls upon "it to undertake."

In the houſe of peers the addreſs was remarkably loyal and dutiful, and his majeſty's anſwer very gracious[a]. The addreſs was moved for by lord Harvey, whom his majeſty, in conſideration of the zeal he had ſhewn in his ſervice, had called up to that houſe, and it was carried with very little oppoſition. Some alterations, however, had happened lately in the complexion of the houſe of lords, where the court party loſt one of its ableſt advocates in the perſon of the earl of Cheſterfield. He had, for ſome time, reſigned his place of lord ſteward of his majeſty's houſhold. It was generally believed, that he and ſome other noblemen of the higheſt diſtinction and zeal for his majeſty's ſervice, as well as of great abilities in it, had been for ſome months ſecretly diſſatisfied with the miniſter's meaſures, particularly in puſhing the exciſe ſcheme ſo far as he had done. The miniſter had an intimation, that a plan for a new adminiſtration was upon the anvil; and he was not at all ſollicitous to prevent the removals and reſignations that took place. The duke of Bolton, about the ſame time, reſigned, or was forced to reſign, his places of lord lieutenant and cuſtos rotulorum of the coun-

Great removals at court and promotions.

[a] "I thank you for this dutiful and loyal addreſs. The "ſatisfaction you expreſs in my "conſtant attention and endeavours for preſerving the public peace and tranquillity, and "promoting the intereſts of my "people, is extremely acceptable to me: and as the honour "and dignity of my crown, and "the good of my kingdoms are "my ſole view, you may be "aſſured of the continuance of "my care and vigilance for "thoſe deſirable ends, and of "my firm reſolution in all events to take ſuch meaſures, "as may beſt anſwer the confidence you repoſe in me, and "ſecure the ſafety and happineſs of the nation."

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ty of Southampton, his regiment of horſe, and his govern ment of the Iſle of Wight. The lord Cobham had always diſtinguiſhed himſelf, in the worſt of times, in favour of the houſe of Hanover and the proteſtant ſucceſſion. His courage was unqueſtionable. He had been highly in favour with all the heads of the whig miniſtry; and though no ſpeaker, was a man of taſte and addreſs; but from diſſatisfaction with the miniſter, he at this time reſigned his regiment of horſe, as did the duke of Montroſe the ſeals as lord privy-ſeal of Scotland: the lord Clinton likewiſe reſigned his places as one of the gentlemen of his majeſty's bedchamber, and the lieutenancy of the county of Devon. Though theſe removals were far from being popular, yet ſome alterations that happened, about the ſame time, in the law, were highly ſo. Geo. II. 1733-4. Character of lord Cobham.

Mr. Talbot, ſollicitor-general, was made lord chancellor of Great Britain, and a peer of England. He was ſon to the biſhop of Durham, and looked upon as one of the cleareſt headed, as well as the beſt hearted lawyers, that ever practiſed. The other promotion was equally popular and judicious: it was that of ſir Philip Yorke, attorney-general, to be lord chief juſtice of the King's-bench, and a peer of England. The former was ſucceeded as ſollicitor-general by Mr. Rider, afterwards ſir Dudley Rider; and the latter, as attorney-general, by Mr. ſince Sir, John Willes. Law promotions.

The ſtate of parties in the houſe of commons, continued much the ſame as the laſt ſeſſion. Their addreſs upon the king's ſpeech was very pacific; and they particularly aſſured his majeſty, that they would make ſuch proviſion for the defence of the nation, as ſhould ſecure his majeſty's kingdoms, rights and poſſeſſions from all dangers and inſults, as might preſerve the reſpect due to the crown of Great Britain, and not give any encouragement to the deſperate views of thoſe who never fail to flatter themſelves with the hopes of great advantages from public troubles. The addreſs was moved for by Mr. Campbell of Pembrokeſhire, and ſeconded by Mr. Fox, ſince lord Ilcheſter. Some other court members likewiſe ſpoke in favour of it, particularly lord Tyrconnel, upon the principle, that almoſt any peace was preferable to a war in a trading nation. Debates upon the addreſs in the houſe of commons.

The oppoſition to the agreeing with the report of the addreſs, as uſual, turned upon the generality of the expreſſions which might be afterwards wreſted to an abſolute approbation of all the miniſter's meaſures. Sir John Hind Cotton particularly ſaid, "that he was afraid the words Rights and Poſſeſſions, might be conſtrued to extend to his majeſty's Ger-

Geo. II. 1733-4.

man dominions." But this being explained ſo as to admit of no ſuch conſtruction by the gentleman who made the motion, and by others, Mr. Pelham particularly, the objection was dropped. Upon this Mr. Pulteny moved for an amendment, "to aſſure his majeſty, that he might entirely depend on the ſupport and aſſiſtance of his faithful commons, in ſuch meaſures as he ſhall find it neceſſary to enter into for attaining and ſecuring theſe valuable purpoſes; provided ſuch meaſures ſhall appear to this houſe to have been neceſſary for obtaining ſuch ends."

He thought this amendment was neceſſary for preventing the court party from pretending, that under the generality of the expreſſions of the addreſs, their agreement to a vote of credit was implied; and he mentioned a caſe of that kind within his own knowledge. He was anſwered by ſir Robert Walpole, who abſolutely denied that there was any ſuch intention. "As to the other objection, ſir, continued he, it is equally without foundation; I do not believe that it can ſo much as once enter into the head of any man to imagine, that by the words Rights and Poſſeſſions, this houſe means to include his majeſty's German dominions. If ever thoſe dominions ſhould come to be in ſuch danger, as that his majeſty ſhould find it neceſſary to aſk the aſſiſtance of this nation, he would certainly do it by a direct meſſage to parliament: and I am very ſure, that at preſent there is no ſuch thing thought of; nor is there the leaſt ſhadow of reaſon for ſuſpecting that there will be an occaſion for any ſuch demand."

See vol. XIX. p. 581.

Sir William Wyndham, in anſwer to ſir Robert Walpole, ſaid, "that he had looked over the journals of the houſe along with Mr. Pulteny, and that the caſe he had mentioned was that of the 12th of April 1727; and that a very ſtrenuous debate had happened upon it in a very thin houſe[a]." Sir William then obſerved, that Mr. Winnington (who was at that time one of the greateſt friends the miniſter had in the houſe) was a teller againſt that very queſtion. Upon this Mr. Winnington ſtood up, and explained the difference between that vote of credit and any that could happen that ſeſſion. He was backed by Mr. Scrope, who gave a very clear

[a] It is ſurpriſing that ſir William, having that very day conſulted the journals, ſhould have been miſtaken in this particular; for the diviſion upon the queſtion was 229 in the majority, and 109 in the minority, which at the cloſe of the ſeſſion is a remarkably full houſe.

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and accurate account of all or moſt of the votes of credit that had been agreed to by the houſe; ſo that Mr. Pulteny, though he was far from giving up the queſtion, did not inſiſt upon any diviſion. An amendment, however, was made in the addreſs; for it having been mentioned in the motion for the addreſs, that his majeſty, in all his tranſactions, would have the ſtricteſt regard to the honour and dignity of his crown and the true intereſt of his people, was what not only his majeſty's royal aſſurances, but their happy experience of all his majeſty's paſt conduct, and the prudence of his councils and meaſures upon every occaſion, left them no room to doubt. This was thought rather too ſtrong a compliment to the miniſter, and therefore the wiſdom and prudence of the meaſures was omitted when the addreſs was agreed to. Geo. II. 1753-4.

On the 23d of January, the houſe of commons agreed to addreſs the king for a copy of the treaty of Vienna in 1731, with the ſecret and ſeparate articles, and the States General's act of concurrence; and on the ſame day ſir John Ruſhout moved, [a] that an humble addreſs ſhould be preſented to his majeſty, that he would be pleaſed to give direction, Motion for papers by ſir John Ruſhout.

[a] Mr. Comptroller preſented to the houſe, purſuant to their addreſs to his majeſty, a copy of the treaty between the emperor and the king of Great Britain, ſigned at Vienna the 16th of March 1731, and of the pragmatic ſanction annexed, with the tranſlation thereof. And alſo,

Copy of the ſeparate article for excluding from the guaranty the caſe of the Turks giving diſturbance to his Imperial and Catholic majeſty, ſigned at the ſame place, and on the ſame day; and tranſlation thereof. And alſo,

Copy of the declaration concerning the introduction of Spaniſh garriſons into the fortified places of Tuſcany, Parma, and Placentia; ſigned likewiſe at the ſame time; and tranſlation. And alſo,

Copy of the declaration concerning the ſucceſſion of Parma; ſigned as above, and tranſlation. And alſo,

Copy of the declaration ſigned by the miniſters of the king of Great Britain, and of the lords the States General, and tranſlation. And alſo,

Copy of the ſeparate articles, about inviting the lords the States General to join in the aboveſaid treaty, ſigned alſo at Vienna the 16th of March 1731, and tranſlation. And alſo,

Copy of the act of concurrence of the States General to the above-ſaid treaty of Vienna; ſigned at the Hague the 20th day of February 1732, by the miniſters of the emperor, the king of Great Britain, and the ſaid States; and tranſlation. And alſo,

Copy of the ſeparate article belonging to the ſaid act of concurrence; ſigned at the ſame place, and on the ſame day; and tranſlation.

that

Geo. II. 1733-4. that the letters and inſtructions ſent to his majeſty's miniſters at the courts of France and Spain, relating to the execution of the treaty of Seville, ſhould be laid before the houſe.

Debate upon the ſame. Sir William Yonge.

This motion introduced a long and a violent debate. Sir William Yonge obſerved, that the treaty of Seville being anterior to that of Vienna, letters and inſtructions relating to the former, could have no connection or concern with the latter. He inſiſted ſtrongly upon the impropriety of that houſe calling for papers that might give light to any negotiations then upon the carpet; but concluded, that if the houſe ſhould think fit to take the treaty of Seville under its conſideration, it might be proper to call for any particular paper that could give light to its deliberations; but he was abſolutely againſt agreeing to the preſent queſtion.

Sir William Wyndham.

Sir William Wyndham, on the contrary, thought, that the impracticability of carrying the treaty of Seville into execution, gave riſe to the ſtipulations contained in the treaty of Vienna; and that it was impoſſible to judge of its propriety, without having the papers moved for laid before the houſe.

Sir Robert Walpole.

He was anſwered by ſir Robert Walpole, who ſaid, "that if the houſe ſhould move to go into a committee upon the ſtate of the nation, or, which he ſaid was the ſame thing, upon the conduct of the miniſter, he ſhould not be againſt laying any papers before it proper for its information: but he thought the motion then made was irregular, and tended only to ſerve as a handle for declaiming againſt the adminiſtration." He then went on in the following manner, which is too remarkable to be omitted here.

"It is uſual for ſome people to make motions rather to fix unpopular things on others, than to have any information for themſelves. They make motions in order to make a figure in the votes, which are ſent to all parts of the nation, and to ſerve ſome particular end of their own: when a negative is put on any ſuch motion, they are then ready to cry out, We would have relieved you; we would have extricated you from all the difficulties you labour under; but we were by power denied the means of doing it. This, ſir, is a piece of management; it is a ſort of parliamentary play always practiſed by thoſe who oppoſe the meaſures of the adminiſtration: I remember it as long as I remember parliaments, and have, by my own experience, been acquainted with it: I can remember the motions made with no other view, but to have a negative put upon them; and particularly at the beginning of a ſeſſion, the language among ſuch gentlemen always has been, We muſt attack them; we muſt give them

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no reſt, but make motion after motion; if they agree to any motion we make, it will diſtreſs them; and if they put a negative upon every one, it will render them odious among the people. Geo. II. 1733-4.

"This, I ſay, ſir, has been always the practice of thoſe who are reſolved, at any rate, to oppoſe the adminiſtration; but to ſay that any motion in parliament is refuſed by power, is, in my opinion, a very unparliamentary way of thinking. When any motion is made, every gentleman is at liberty to debate upon it, and to agree or diſagree as he thinks reaſonable; if it be rejected, it muſt be by a majority of the houſe, and becomes an act of the houſe; and to ſay, what is an act of the houſe is an act of power, is not, I think, ſpeaking in the language of parliament."

He then went into the reaſons commonly urged on ſuch occaſions againſt the impropriety of calling for papers that might interrupt negotiations then depending; and he juſtified the treaty of Vienna, and maintained, that it laid England under no obligation but what ſhe was obliged in the nature of things to have fulfilled though no ſuch treaty had been concluded. He next took notice of the indecent manner of treating the adminiſtration; ſometimes, by way of irony, and at other times, continued he, calling names, ſuch as a cowardly adminiſtration, a wheeling, ſhifting miniſtry, (though by the bye I never underſtood the preſent to be a ſhifting adminiſtration; for, as I take it, the great quarrel amongſt us is, that the adminiſtration has not been ſhifted.) "Though I cannot agree with the gentlemen who ſay that this nation is at preſent in ſo unhappy a ſituation, yet I muſt grant, that the affairs of Europe are not at preſent in a very happy ſituation; and if the errors or miſmanagement of any of the adminiſtration here, has contributed in the leaſt to the preſent poſture of affairs of Europe, I muſt think that they very little deſerve to ſerve the crown; but really by ſome gentlemens way of talking, one would imagine, that the miniſters of England were the miniſters of Europe; or that madneſs and folly reigned at this court, and that the moſt profound wiſdom prevailed at all others."

This excellent ſpeech was applauded and approved of even by the enemies of the ſpeaker, who were not ſo either thro' principle or ambition; for many were his enemies thro' miſinformation or miſapprehenſion. He was anſwered by Mr. Shippen, Mr. P. and others; but in the ſtile of general declamation, without one conſtitutional argument to ſupport it. They talked a great deal of the ſentiments of the people

Vague anſwers to the ſame.

Geo. II. 1733-4.

of England; and how highly they would reſent the rejecting the motion. But Mr. Pelham and Mr. Scrope very properly anſwered, that there was in the Engliſh conſtitution an executive, as well as a legiſlative, and judiciary, power, and that the executive power being intruſted with the king, it would be abſolutely impoſſible to render it effectual, if the people either in their collective or repreſentative capacity ſhould be judges of the means of carrying it into effect, which conſiſted in papers and in the acts of the miniſters employed.

Mr. Pelham,

Mr. Pelham added, "That the government of Great Britain was the moſt free of any under the ſun; yet that it was frequently obliged to treat with people who had very different ideas of the rights of the people; and as that neceſſity was abſolute, they muſt either forego all treating, or throw their cabinets open to all the world; expoſe private promiſes and encouragements, and, as poſſibly might be the caſe in the preſent queſtion, ſubject themſelves to cenſure for going into meaſures that, when half ſeen, might appear unjuſtifiable, but when the whole came to be conſidered, might be highly beneficial to their country."

and Mr. Danvers ſpeak.

Mr. Danvers, a jocular friend of the miniſter, finiſhed the debate by obſerving, "that the houſe might as well addreſs his majeſty to bring his whole cabinet of papers open for the peruſal of the houſe, as to agree with the motion: that the people of England were friends to the miniſter, and that they all ſeemed to think the only diſpute in parliament was, who ſhould be miniſter." At laſt the queſtion being put, a negative was given to the queſtion by a majority of 195 againſt 104.

Diviſion.

Riſe of the motions for papers.

The great buſineſs of the oppoſition now, both in their diſcourſes and writings, was to repreſent the pacific conduct of the miniſter in the war begun againſt the emperor by France, Spain, and Sardinia, as the effect of puſillanimity, or of ſomewhat ſtill worſe, a ſecret correſpondence, and prior engagements with France. Though the death of the king of Poland was ſudden and unforeſeen, though the Poles were almoſt unanimous in electing Staniſlaus for their king, and though nothing could be more natural than to think that his ſon-in-law, the French king, would ſupport that election; yet the Engliſh miniſter was publickly accuſed of having, in the year 1729, entered into engagements with France to promote the election of Staniſlaus upon the demiſe of king Auguſtus. As nothing could be more unpopular in England than ſuch a charge, it might have hurt the miniſter, had not his enemies carried it to a ridiculous exceſs, by ſuppoſing

that

that his favouring the election of Staniſlaus, was the cauſe of England being averſe to aſſiſt the emperor againſt his powerful enemies, who were every day ſtripping him of his dominions, and was the conſequence of the engagements that had been formed with France. As to the charge itſelf, it was unſupported by even the ſhadow of evidence at the time of the death of king Auguſtus, and ſome time before. But as that king, in the year 1729, had a fit of illneſs, and as Mr. Woodward was then the Britiſh miniſter at his court, the oppoſition believed, or pretended to believe, that orders had been ſent him from England to favour the election of Staniſlaus, if king Auguſtus ſhould then die. Geo. II. 1733-4.

Motion for inſtructions.

In conſequence of this motion, Mr. Sandys, on the 25th of January, moved the houſe of commons, that an humble addreſs be preſented to his majeſty to give direction, that the ſeveral inſtructions to Mr. Woodward, his majeſty's miniſter in Poland in the year 1729, be laid before the houſe.

This motion was backed with the reaſoning we have already expoſed; and the ableſt members of the oppoſition, conſcious how weakly it was founded, inſtead of ſupporting it upon parliamentary principles, brought their own private ſurmiſes as arguments for it; and finding the motion no longer defenſible againſt the reaſoning of the miniſter and his friends, they endeavoured to turn them into ridicule. But even in this method they were worſted by Mr. Horatio Walpole, whom they had always affected to repreſent in a very mean light, both in his perſon and parts.

Character of Horatio Walpole, eſq; afterwards lord Walpole.

As to his perſon and air, which, at the time now deſcribed, were ſo indecently treated, they were ſuch as are daily ſeen in a plain, honeſt, country Engliſh gentleman; and both of them preferable to thoſe of many of his antagoniſts, who affected to ſpeak of them with the greateſt freedom. He did not affect to be eloquent, but he was a ſenſible, ſhrewd, ſpeaker: and though he was not what is properly termed witty, yet he had more ready humour than any man in the houſe. His underſtanding was more ſolid than ſpecious; and the blundering of which his enemies accuſed him, was no other than a vague, cant term, ſince they never could prove he committed an error either in his public or private management, unleſs his punctually fulfilling the will of his ſovereign and ſuperiors is to be deemed ſuch. But to put his abilities in a public capacity out of all manner of doubt, nothing is more certain than that after his brother reſigned his places, and when Mr. Walpole attended his duty in the houſe only as a private gentleman, which he did during the laſt fifteen

years

Geo. II. 1733-4.

years of his life, no man in parliament was better heard, or carried more weight with him when he ſpoke, which he pretty frequently did; becauſe, at that time, he had more experience in buſineſs than any member in the houſe, and more knowledge of [a] American affairs than any man in England.

The perſonalities which paſſed in the debate laſt mentioned, were ſuch as can have no place in a national hiſtory; and they were carried on both ſides ſo far, that the ſpeaker was obliged to inform the gentlemen, that they had loſt ſight of the queſtion, which he again read. Upon this ſir William Wyndham, who was always decent and parliamentary, had recourſe to argument by obſerving, that the motion implied no diſreſpect to his majeſty, but only tended to canvaſs the conduct of the miniſter; and that the papers called for might be neceſſary for that effect. This he ſaid to obviate the arguments made uſe of on the other ſide, That the motion was unneceſſary and diſreſpectful, becauſe his majeſty, at the opening of the parliament, had told them, that he was no ways engaged in the war, and had no part, except by his good offices, in thoſe tranſactions which had been declared to be the principal cauſes and motives of it. Sir William then endeavoured to prove, that, in a conſtitutional ſenſe, the ſpeech of the king was to be conſidered by the houſe as the ſpeech of the miniſter; and that the houſe even had a right to enquire whether what his majeſty had told them was or was not a truth. He then mentioned the neutrality which the States General had then juſt concluded, as a meaſure in which the miniſtry in England never had been conſulted, which, continued he, looks as if they had ſome diſtruſt of our power, or as if they thought they could not put any confidence in the counſels of this nation.

Sir William Wyndham ſpeaks.

Sir Robert Walpole anſwered him, and all the argumentative parts of the ſpeeches on the other ſide, with great force and ſpirit. He did not deny that the ſpeech from the throne was to be conſidered as the ſpeech of the miniſter; but ſtill he thought it ought to be treated with decency, it having, at leaſt, the ſtamp of majeſty upon it; and that it was both unjuſt and unparliamentary to arraign it of falſehood, without ſtating any one charge independent of bare ſurmiſes and groundleſs ſuppoſitions. He took notice, that all the late motions about papers, were calculated to plunge the nation precipitately into war, in a quarrel, and at a conjuncture, when there was ſo

Anſwered by ſir Robert Walpole.

[a] He was long auditor of the plantations, and was ſo at the time of his death,

great

great occaſion to deliberate. "I believe, continued he, it will appear, that our preſent ſituation is the very beſt that the nation could poſſibly be in, with relation to the preſent poſture of the affairs of Europe. The gentleman, who ſpoke laſt, mentioned the ſtates of Holland, and that they had done ſomething for their own ſecurity; it is true, they have done ſomething, they have entered into a treaty of neutrality; whereas we have remained entirely in a ſtate of inaction: but on this very account, I think, we are in a much better condition than they; by that neutrality they have engaged not to act at all, nor to concern themſelves in the preſent war: we are ſtill at liberty, and may, on any event, take that part, which ſhall then appear moſt for the intereſt of Great Britain." Geo. II. 1733-4. Extract from his excellent ſpeech.

Mr. P. in the courſe of the debate had ſaid, "that formerly corrupt majorities had done very ſcandalous things in parliament," and he inveighed very bitterly againſt the majority which had rejected the two late motions, and whom he ſuppoſed to be abſolutely influenced and directed by the miniſter. This charge, though conveyed in parliamentary language, was one of the blackeſt that can be imagined; and was ſupported with no proof. It ſet aſide every ſafeguard of the conſtitution, and deſtroyed the very firſt principles of government itſelf, which almoſt in all judicial capacities, has no other rule of determination, but a majority. The nation at that time was peſtered with papers and pamphlets, which held forth, that every member, who voted on the ſide of the miniſter, was a hireling, and voted for the ſake of money or intereſt. Liſts had been publiſhed of thoſe who voted for and againſt the exciſe ſcheme, with the places, which the former held under the government, annexed to their ſeveral names. This had operated wonderfully upon the minds of the people, who were taught to believe, that every member, who had not a viſible place, and voted for the government, had a private penſion, or ſome other gratification. Sir Robert Walpole thought, that then was the time for confuting a charge ſo injurious to himſelf, as well as deſtructive of the conſtitution: and he did it in the following noble manner, which will do honour to the works of the beſt orators of Greece or Rome. State of politics in the nation.

"An honourable gentleman, ſir, who ſpoke ſome time ago, took indeed a great deal of liberty in talking of majorities; but I would have gentlemen to know, that when they talk of ſuch majorities at preſent, they ſpeak of their equals as members of this houſe, of their equals on any ground in England: Farther extract from ſir Robert Walpole's ſpeech.

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Geo. II. 1733-4.

let gentlemen but caſt their eyes round the houſe, and they will find a number of gentlemen ſuperior to the higheſt number of their minority, who can as little be ſuſpected of corruption, as any of thoſe who generally appear on the minority of the queſtion."

"It is eaſy for gentlemen to repreſent the meaſures lately taken by the government, as unwiſe, inconſiſtent, and the like; but when the day comes, for enquiring into them, which I as heartily wiſh for, as any in this houſe, I believe thoſe meaſures will appear in a quite different light; and thoſe gentlemen, who may, perhaps, have hearkened to every little whiſper of ſome of the foreign miniſters at this court, which is, I believe, the only foundation for what they have aſſerted, will find themſelves at laſt ſorely diſappointed. Whenever ſuch an enquiry ſhall be reſolved on, I doubt not, but the majority of this houſe will agree to call for every paper, that can be thought neceſſary for giving a full information of the preſent ſtate of the nation: but this is not the queſtion at preſent, nor are we now to enquire, whether his majeſty has had any ſhare in thoſe tranſactions, which have given occaſion to the preſent war; and therefore, I cannot think we have, at preſent, any thing to do with any inſtructions to his majeſty's miniſters in Poland, or elſewhere."

"His majeſty, it is true, expects the aſſiſtance of his parliament; but for what? he does not immediately expect ſuch an aſſiſtance, as to enable him to take any part in the preſent war; he wants only ſuch, as may enable him to put the nation in a proper poſture of defence; and ſurely we may determine what will be neceſſary for that end, without enquiring into any of our foreign negotiations. It is for this reaſon, ſir, that I think the houſe has done right in rejecting all the motions hitherto made, for letters and inſtructions relating to our foreign affairs; and for the ſame reaſon, I make no doubt, but they will likewiſe reject the preſent motion."

Diviſion.

The queſtion was then put upon the motion; and upon a diviſion, it was carried in the negative, by a majority of 202 againſt 114.

Motion about good offices.

His majeſty, in his ſpeech, having ſaid, "that he had no part in the war, excepting his good offices," the oppoſition laid hold of that expreſſion, to move, that an humble addreſs be preſented to his majeſty, to communicate to that houſe, "how far he had been engaged by his good offices in thoſe tranſactions, which had been declared to be the principal cauſes and motives of the war, which was then begun, and carried on, againſt the emperor, with ſo much vigour, by the united powers of France,

France, Spain, and Sardinia." But this motion, after what had already paſſed, was thought ſo unreaſonable, that it was carried in the negative, without any diviſion. Geo. II. 1733-4.

This, however, did not diſcourage the oppoſition; for Mr. Sandys, notwithſtanding the ill ſucceſs of his former motion, made another; that an humble addreſs be preſented to his majeſty, to communicate to that houſe, "what application had been made to him by the ſeveral parties then engaged in the war, founded upon treaties or other engagements." As this motion was not founded upon any expreſſion of his majeſty's ſpeech, Mr. Pelham was for rejecting it, as being irregular; and ſir William Yonge moved for the previous queſtion. In the courſe of the debate, however, Mr. P. intimated, that he had good authority for believing that 10,000 Britiſh troops had been required by one of the powers engaged in the war. This allegation being unſupported by any particular evidence, it was thought more proper to delay the ſame, till the houſe ſhould come into a committee, either upon the ſtate of the nation, or upon the ſupply. The reaſons urged by the friends of the miniſter, were, "that if no effect was to follow from the applications in queſtion, the motion was idle; and if any was, the engagements entered into, in conſequence of them, would in a few days be known in the committee of ſupply, when the eſtimates proper for carrying them into execution, would be laid before the committee." It was obſerved at the ſame time, "that it would be very unfair to betray the ſecrets of the cabinet, by agreeing to ſuch a motion, becauſe that all applications of that kind are made under the ſeal of ſecrecy. If they are not complied with, they are to remain ſecrets; and if they are, there could be no manner of doubt, that whatever engagements are entered into in conſequence of them, muſt in due time be laid before the houſe, who alone could enable his majeſty to carry them into execution." Mr. Plummer was afraid, that if the motion was not agreed to, it might give a handle for the court to demand a vote of credit towards the end of the ſeſſion. "As to the argument of the eſtimate being laid before the committee for ſupply, is not this, ſir, ſays he, directly to tell us, that after his majeſty has come to a determination what part to act, he will be graciouſly pleaſed to take the advice of parliament. It is true, ſir, his majeſty has, by his prerogative, the power of making peace or war. But, ſir, in a matter of ſo great conſequence, it has always appeared to be the duty of the kings of England, to take the advice of their people in parliament aſſembled,

Farther motion about application to his majeſty.

Debates on the ſame.

Mr Plummer's ſpeech.

Geo. II. 1733-4.

bled, and not to truſt entirely to the advice of their miniſters; and if any ſuch demand, as is mentioned in the motion, has been made by any of his majeſty's allies, I cannot think it would be any way derogatory to the prerogative of the crown, or to the wiſdom of the miniſters, to lay it before the parliament, whether it ought to be complied with, or not."

Mr. Cockburne, one of the lords of the admiralty, though he voted againſt the firſt motion, voted for this; becauſe he thought that as his majeſty expected the aſſiſtance of his parliament, he ought to take its advice. The previous queſtion, however, being put, a negative was put upon it on a [a] diviſion, by a majority of 195 againſt 102.

Diviſion.

Notwithſtanding all the debate which his majeſty's ſpeech had occaſioned in the houſe of commons, all impartial perſons, both at home and abroad, thought it both wiſe and ſeaſonable. The foreign miniſters immediately tranſmitted copies of it to their ſeveral courts, and the miniſtry at home reſolved to put Great Britain upon a reſpectable footing, both by ſea and land. On the 28th of January, an account was laid before the houſe of commons, ſhewing how the money given for the ſervice of the year 1733, had been diſpoſed of; by which it appeared, that there was a deficiency of ways and means of no leſs than 287,343 l. 5 s. 1 d. for that year.

Accounts laid before the houſe of commons.

The ſame day, ſir Charges Wager preſented to the houſe, purſuant to their addreſs to his majeſty, an eſtimate of the debt of his majeſty's navy, as it ſtood on the 31ſt of December 1733, and which the reader will find inſerted in the notes [b]. But he is to remark, that by another account, there was in the treaſurer of the navy's hands, towards ſatisfying the ſaid debt, 146,224 l. 12 s. 8 d. 4. The eſtimate of the ordinary of the navy for the year 1734, amounted to 212,670 l. 5 s. 9 d. That of the office of ordnance for land-ſervice, to 86,813 l. 17 s. 9 d. And that for the charge of guards, garriſons, and other his majeſty's land-forces, to 647,429 l. 11 s. 3 d. ½. The eſtimate of the charge of his majeſty's forces in the plantations, Minorca, and Gibraltar, for the ſame year,

Particulars of the ſame.

[a] The magazines, the hiſtorical regiſter, and other collections, belonging to this period, for want of information, are often erroneous in parliamentary affairs; for inſtance, they ſay there was no diviſion upon this queſtion, though the journals of the houſe of commons expreſsly ſay there was.

[b] Navy-office, Jan. 16, 1733. An eſtimate of the debt of his majeſty's navy, on the heads hereafter-mentioned, as it ſtood on Dec. 31, 1733.

Heads

year, amounted to 203,996 l. 17 s. 3 d. ½. That for the charge of the out-penſioners of Chelſea-hoſpital, was, after 1733-4. Geo. II.

Heads of the naval eſtimates.

Wear and tear, ordinary and extraordinary repairs.

	Particulars. l.	s.	d.	Total. l.	s.	d.
Due to pay off and diſcharge all the bills, regiſtered on the courſe of the navy, for ſtores, &c. ſupplied for the ſervice thereof, — —	898,360	0	0			
To pay off and diſcharge all the bills, regiſtered on the ſaid courſe, for premiums, allowed by act of parliament, on naval ſtores, — — —	56,811	0	0			
For freight of tenders, and for ſtores delivered into his majeſty's ſeveral yards, &c. for which no bills were made out on the aforeſaid 31ſt of December, 1733; as alſo, to ſeveral bills of exchange, — —	20,851	0	0	1,171,163	5	2
To his majeſty's yards, and rope-yards, for the ordinary and extraordinary thereof, — — —	175,564	17	2			
For half-pay to ſea-officers, according to an eſtabliſhment made by his late majeſty in council, on that behalf,	19,576	17	2			
Seamens wages.						
Due to pay the men unpaid on the books of ſhips paid off, — —	5,924	10	4½			
To ſhips in ſea-pay, on the aboveſaid 31ſt of December, 1733, — —	232,613	0	0	241,088	10	4½
To diſcharge and pay off all the bills, entered in courſe for pilotage, ſurgeons neceſſaries, bounties to widows and orphans of men ſlain at ſea, —	2,521	0	0			
Victualling debt, as per eſtimate received from thoſe commiſſioners; viz. Due for ſhort allowance to the companies of his majeſty's ſhips in pay, and which have been paid off, —	15,665	13	0			
For paying off all the bills entered on their courſe, — — —	576,726	19	5¼	602,607	14	8¼
For neceſſary money, extra neceſſary money, and contingencies, — —	323	17	11			
To the officers, workmen, and labourers, employed at the ſeveral ports, —	9,891	4	4			
Sick and hurt, the debt of that office, as per eſtimate received from thoſe commiſſioners; viz. Due for the quarters and cure of ſick and hurt ſeamen, ſent aſhore from his majeſty's fleet, and contingencies, relating to the ſaid ſervice, — —	—	—	—	5,316	7	10
The total amounts to the ſum of two millions, twenty thouſand, one hundred and ſeventy five pounds, eighteen ſhillings, and one penny farthing. —	—	—	—	2,020,175	18	1¼
From which, deducting the money in the treaſurer's hands,	—	—	—	146,224	12	8¼
The neat debt will be — —	—	—	—	1,873,951	5	5

all

Geo. II. 1733-4.

all allowances towards defraying the ſame, 25,057 l. 5 s. 10 d. And the yearly expence of Greenwich-hoſpital, at an average, was computed to be 22,567 l. 6 s. 10 d.

Reſolutions in the committee of ſupply.

On the ſame day, the committee of ſupply in the houſe of commons reſolved, That 20,000 men ſhould be employed for the ſea ſervice for the year 1734, beginning the firſt day of January, 1733. And that 4 s. per man per month ſhould be allowed for maintaining the ſaid 20,000 men for thirteen months, including the ordnance for ſea. Some ſmall objections were made the next day, upon the report of theſe reſolutions. It was thought, that if the nation was to go into action, the number of ſeamen was too few; and if it was not, it was too many; but theſe objections were removed, by the conſideration of the naval preparations of all the neighbouring powers: and that the number propoſed, was ſufficient for enabling Great Britain to act with weight and dignity, whether ſhe took part in the war or not.

Motion and debate upon the number of land-forces.

On the 6th of February, Townſhend Andrews, eſq; moved, that the number of effective men to be provided for guards and garriſons in Great Britain, and for Guernſey and Jerſey, for the year 1734, be (including 1815 invalids, and 555, which the ſix independent companies conſiſt of, for the ſervice of the highlands) 17,704 men, commiſſion and non-commiſſion officers included.

This motion was ſtrongly oppoſed by ſir William Wyndham, though the additional men propoſed, were no more than 1800; and thoſe too, were to ſupply three regiments that were abſent at Gibraltar. Sir William Wyndham moved, that thoſe three regiments ſhould be included in the propoſed number. He was anſwered by Mr. Pelham, who thought, that the ſtate of affairs in Europe required rather a greater augmentation. Mr. Shippen and Mr. Pulteny ſupported ſir William Wyndham's amendment, with the common arguments againſt a ſtanding army. It had been ſaid, in the courſe of the debate, that the three regiments could not be called home from Gibraltar. Mr. Pulteny ſaid, "if that was improper, it was eaſy to ſupply them from Ireland time enough to anſwer all the purpoſes of the propoſed augmentation; and that the Dutch beſides, in caſe England was attacked by a foreign power, was obliged to furniſh her with 10,000 men at their own expence." But Mr. Pelham ſhewed the uncertainty of all thoſe expedients, by the experience he had of army affairs, while he was ſecretary at war.

During this whole debate, the gentlemen in the oppoſition frankly acknowledged, that they did not oppoſe the augmentation,

tation, becauſe it was unreaſonable, but becauſe the miniſter had not let them ſufficiently into the ſtate of the affairs of Europe, to juſtify the augmentation. Upon this, ſir Robert Walpole finding himſelf pointed at, told the houſe, "that it was abſurd for gentlemen to expect any further information, while his majeſty himſelf had told them from the throne, that he was yet undetermined, as to the part he was to take in the preſent war: but that in the mean time, whatever the reſult might be, it was plain, the nation ought to be put into a poſture of defence, and upon her guard; and the propoſed augmentation was the leaſt that could anſwer that purpoſe." He was replied to by Mr. P. in his uſual declamatory ſtrain, againſt ſtanding armies in general, and was very ſevere upon the miniſter, for not letting the houſe know that which, in effect, his majeſty had ſaid, he did not himſelf know. Sir Joſeph Jekyll, maſter of the rolls, ſpoke againſt the augmentation, becauſe he thought that the great naval force, which had been voted, was ſufficient for the defence of the nation, eſpecially againſt France. "But," continued he, "beſides that it is not in the power of France to attempt any thing at preſent againſt us, I believe it is not their inclination. They certainly look upon us as their allies, and have, I believe, good reaſon for ſo doing. I ſhall not enter into a diſquiſition of the many engagements we are at preſent under to foreign princes, but I am afraid they are ſuch, that whatever meaſures we may purſue, with reſpect to the preſent war, it will not be eaſy to reconcile the honour and the intereſt of this nation. If our intereſt ſhould call upon us to aſſiſt the emperor and his allies, I am afraid we muſt forfeit our honour to France and her allies; and if our intereſt call upon us to aſſiſt France and Spain, we muſt equally forfeit our honour to the emperor: nay, if we ſhould obſerve an exact neutrality, I am afraid both parties would have ſome grounds for accuſing us of a breach of faith. I ſhall not pretend to give names or epithets to any meaſure, or to any miniſter; but a management, which has brought the honour and intereſt of the nation thus to claſh, I cannot applaud."

Geo. II. 1733-4.

Sir Robert Walpole ſpeaks;

and anſwered.

Sir Joſeph Jekyll's ſpeech.

This extract has been thought proper to be given here, becauſe as ſir Joſeph maintained a profeſſed independency upon both parties, he was more apt than any man in the houſe to ſpeak his ſentiments freely; and, on this occaſion, he ſpoke more freely than was even thought proper by the leaders of the oppoſition themſelves. A great many other arguments, both for and againſt the augmentation, were advanced by other members. The queſtion was put upon the

Geo. II. 1733-4. amendment propoſed by ſir William Wyndham, and rejected by a majority of 262 againſt 162. The firſt motion then being agreed to, the two following reſolutions paſſed.

Diviſion.

Reſolutions of the committee of ſupply.

'That a ſum not exceeding 647,429l. 11s. 3½d. ſhould be granted to his majeſty for defraying the charge of the ſaid 17,704 men for guards and garriſons, and other his majeſty's land forces, in Great Britain, Guernſey and Jerſey, for the year 1734. And,

That a ſum not exceeding 203,996l. 17s. 3½d. ſhould be granted to his majeſty for maintaining his majeſty's forces and garriſons in the plantations, Minorca, and Gibraltar; and for proviſions for the garriſons at Annapolis Royal, Canſo, Placentia, and Gibraltar, for the year 1734.

The reader here is to remark, that as this was underſtood to be the laſt ſeſſion of the then parliament, the members in the oppoſition exerted themſelves with an unuſual vigour to give the nation very diſagreeable impreſſions of the adminiſtration.

Motions about officers.

The removal of the duke of Bolton and the lord Cobham from their regiments, was repreſented in the moſt odious colours as an arbitrary act of the miniſter, who was reſolved to garble the army ſo, that no officer in it ſhould dare to vote againſt him in either houſe of parliament. They who knew better, were ſenſible that this neither was, nor could be, an act of the miniſter; becauſe his majeſty had an inherent right to diſmiſs or appoint what officers of the army he thought fit; and it is one of thoſe exerciſes of power upon which the ſafety of the conſtitution depends. Notwithſtanding this, the miniſter's enemies were abſurd enough to make a motion on the 13th of February, which tended to an abſolute unhinging of the conſtitution, becauſe it tended to make the officers of the army independent of the crown. For the lord Morpeth, eldeſt ſon to the earl of Carliſle, in the houſe of commons, made a motion, and the queſtion was propoſed, "That leave be given to bring in a bill for the better ſecuring the conſtitution, by preventing the officers of ſuch land-forces as ſhall, at any time, be allowed by the authority of parliament, from being deprived of their commiſſions, otherwiſe than by judgment of a court-martial, to be held for that purpoſe, or by addreſs of either houſe of parliament.

It was plain at firſt ſight, even to the friends of the motion, that as it was worded, it eſtabliſhed an abſolute deſpotiſm in the army, as it took from his majeſty the power of removing from his command even the general of his forces, let that general's power and deſigns be ever ſo dangerous.

The

The motion therefore was amended, and reſtricted to "officers not above the rank of colonels in regiments." Geo. II. 1733-4.

To ſupport this extravagant motion, the noble lord who made it, mentioned the example of Holland and Sweden. In the former country, he ſaid, that no officer could be broken without the ſentence of a court-martial; and in the latter, none could be removed from his commiſſion without the conſent of the ſenate. But to this it was anſwered by Mr Clutterbuck, that the conſtitution of Holland without a ſtadholder, did not admit of any power that could arbitrarily remove officers; becauſe when the army was there raiſed, it was the army of the States General of the United Provinces, which was compoſed of a variety of juriſdictions. But when the government was lodged in a ſtadholder, he had the ſame power over their army as a king of England has over his. As to Sweden, it was plain his lordſhip was impoſed upon, through his ignorance of the conſtitution of that country, where the ſupreme power is, in fact, veſted not in the king but in the ſenate, which is no other than a committee of twelve choſen out of the eſtates or parliament of the kingdom, to controul the king in all actions that they diſlike. Sir John Ruſhout, who ſeconded the motion, ſaid, "that there were then upwards of forty officers of the army members of that houſe, and he was for ſecuring their independency upon the miniſter by the houſe agreeing to the motion." In anſwer to this Mr. Clutterbuck ſaid, "that this could not be done without making a dangerous infringement of the prerogative and even of the conſtitution, which always implies the liberties of the people to be ſafe, while the king commands, and the parliament pays, the army." The ſame gentleman likewiſe, with great propriety, took notice, that an officer may be guilty of many crimes, which may make it highly proper for his majeſty to remove him; and yet they may be ſuch as cannot be proved, nor come under the cognizance of a court-martial. Diſſaffection, for inſtance, a crime that, though of the moſt dangerous tendency in an officer, may be very flagrant, yet it may be next to impoſſible to prove it ſo clearly to a court-martial, as to induce it to cenſure the criminal.

Lord Morpeth. Mr. Clutterbuck. Sir John Ruſhout.

Mr. Clutterbuck was anſwered, but very imperfectly, by an honourable gentleman, who ſome years after was removed to the houſe of lords, and who endeavoured to ſhew the difference between antient and modern armies; and to ſhew that no part of the old prerogative, as it ſtood before the revolution, could be touched by agreeing to the motion. He like-

Mr. S.

Geo. II. 1733-4.

wiſe thought, that if any officer was notoriouſly guilty of diſaffection, there was a ſufficient proviſion in the motion for puniſhing him; becauſe he was to be removeable upon the addreſs of either houſe of parliament. He endeavoured to prove, that both before and ſince the revolution, the conſtitution had received ſeveral alterations for the better. He inſtanced the caſe of the judges, which were before the revolution removeable at pleaſure; and he endeavoured to render that inſtance parallel with the preſent motion.

Col. Bladen.

The next who ſpoke was colonel Bladen, one of the commiſſioners for trade and plantations. He moved, that the preamble to the bill, depending in the houſe for puniſhing mutiny and deſertion, and for the better payment of the army and their quarters; and the preamble to an act made in the 13th year of the reign of king Charles II. intitled, An act declaring the ſole right of the militia to be in the king, and for the preſent ordering and diſpoſing the ſame; and alſo part of an act made in the 13th and 14th years of the reign of the ſaid king Charles II. intitled, An act for ordering the forces in the ſeveral counties of this kingdom, ſhould be read, which being done; he then endeavoured to prove, that ſince the revolution, and ſince a regular army was thought neceſſary in England, the king ought to have the ſame power over the officers of that army, as former kings had over the officers of the militia. He added, "that ſhould the motion take place, and that gentleman was really ſerious in it, he ſhould begin to believe the reports he had often head, that ſome gentlemen were endeavouring to introduce a commonwealth: for," continued he, "I never heard of any motion which tended ſo directly towards a commonwealth as the preſent does, except ſome of thoſe famous motions made in the years 40 and 41: and I am perſuaded if this motion ſhould take place, it would produce the ſame conſequences." He therefore concluded againſt the motion.

Sir Thomas Robinſon.

The next who ſpoke on the ſame ſide was ſir Thomas Robinſon, who unanſwerably ſhewed the abſurdity of all the arguments that had been urged in favour of the motion. He obſerved, "that even after the revolution, when the thoughts of the beſt patriots in England were turned towards the means of bounding the prerogative, yet no ſuch propoſition as that contained in the motion had ever entered into any man's head. In my opinion, ſir," continued he, "the great danger to be guarded againſt in all armies, is any ſtep that tends to raiſe them to a ſtate of independency; and therefore, by the wiſdom of the legiſlature, our army is ſo wiſely conſtituted

conſtituted as not only to be dependent on the annual votes of this houſe for its ſubſiſtance and continuance, but alſo as to the number it ſhall conſiſt of: then as to the nomination of the officers, it has always been lodged in the crown, as it is highly proper it ſhould; they have always been left dependent on the king, whoſe perſon they are obliged to defend, whoſe government they are intended to ſupport." Geo. II. 1733-4.

After ſome other reaſoning of the ſame nature, he proceeded thus: "This leads me to conſider in whom the advocates for this queſtion propoſe to lodge this power, this important branch of the prerogative, which is to be lopped off from the crown if this military ſcheme ſucceeds. As the prerogative of the crown is to be diminiſhed, one would naturally imagine the power of the people was intended to be increaſed: but this, ſir, is not to be the caſe; it is to be transferred from the crown, not to the people, but to the army, and lodged ſolely with the officers themſelves, who, from that moment, will be independent of the crown, and in time, perhaps, of all other authority; for one of the great reſtraints upon the army is this very prerogative the king has of diſplacing officers who may be ſuſpected of bad intentions. Give this privilege to the officers themſelves only, and what ſecurity ſhall we then have for their future behaviour. In ſhort, we ſhall then have raiſed a power in ſupport of the preſent eſtabliſhment: for thus by removing this neceſſary check upon the army, a diſtant time may come, when the nation, with reaſon, may be jealous of an army, in whoſe hands we ſhall have put a power ſufficient to enable them to get the better both of king and parliament, and to ſet up a new conſtitution of their own; whereas, while the army continues in the ſtate it is at preſent, there is little danger to be apprehended, even ſhould it have the raſhneſs to attempt any thing againſt either."

He then proceeded to ſhew, that there could be no manner of parallel between the caſe of the judges and that of the army, ſhould the motion take place; becauſe all matters that come before a court of juſtice in England, are to be determined by a jury; and even one judge is not to be tried by another in caſe of miſbehaviour; which, ſhould the motion ſucceed, would be very different from the caſe of the gentlemen of the army, who then could be tried only by one another: he might have added, that judges held their places only during good behaviour, and that a judge holds his place

not

Geo. II. 1733-4. not during his own life, but during the life of the reigning ſovereign, whoſe ſucceſſor may remove him at pleaſure.

Mr. Winnington. His character.

The next who ſpoke was Mr. Winnington. This gentleman was deſcended from anceſtors who had often, if not always, diſtinguiſhed themſelves by oppoſing miniſters; and his conduct, when he firſt came into parliament, was in the ſame ſtrain. He was conſidered by many as being in his private ſentiments not only a tory but a jacobite; but being a man of penetration, very quick parts, and no bad ſpeaker, he eaſily ſaw that the oppoſition to ſir Robert Walpole was merely perſonal, and that principles were adopted merely to carry it on the better. In ſhort, he perceived, that as parties were then modelled, he could juſt as conſiſtently with his former principles join the court as mingle in the oppoſition. Being a man of pleaſure, he ſoon determined himſelf to join with the miniſter, by whom he was both protected and preferred to ſuch a degree, as will be found in the courſe of this hiſtory, that he was ſaid to form a ſcheme for advancing himſelf to ſir Robert Walpole's places. But to do him juſtice, after he joined the miniſtry, he ſerved it both zealouſly and effectually: only he thought that the national diſcontents might make it expedient for his majeſty to diſplace ſir Robert without diſgracing him; in which event he ſuppoſed it not impoſſible for him to ſucceed to his power; and in this he made a much greater progreſs than is commonly imagined. His ſpeech upon this occaſion was very warm and very animated. "I cannot, ſir," ſaid he, "let this queſtion go without declaring my abhorrence to the motion made to us: I really think it the moſt monſtrous motion I ever heard ſince I had the honour to ſit in parliament: gentlemen ſay, ſir, an army is no part of our conſtitution; but if the propoſition they have made ſhould take place, the whole of our conſtitution would ſoon be at the mercy of our army. At preſent, ſir, the officers depend on the king for their commiſſions, and the army itſelf upon parliament for its continuance and its pay. But if you ſhould once make the officers independent of the crown, and give them a ſort of freehold in their commiſſions, they would ſoon make both king and parliament depend upon them. If both king and parliament ſhould think it proper to make a reduction of any part of our army, do you imagine that theſe gentlemen, with their ſwords in their hands, would quickly lay them down, and retire to their reſpective homes at our deſire? No, ſir; they would then tell you, our commiſſions are for life, they are our freehold, a law of your

own

own has made them ſo, and you ſhall not take them from us, unleſs we have been guilty of a crime: if we have let a court-martial be called, let us be tried in that way, which is by law preſcribed; and if we be found guilty, we will ſubmit. This, ſir, we may reaſonably ſuppoſe would be the language of thoſe you had a mind to reduce; and in ſuch a caſe, gentlemen may eaſily gueſs what redreſs the nation could expect from a court-martial." Geo. II. 1733-4.

Mr. Winnington then let fall ſome ſevere expreſſions againſt the armies that had overthrown the liberties of Rome and England, for which he was treated with an equal mixture of indecency and ignorance by one of the Scots members. General Wade, upon the ſpeech he made againſt the motion, diſcovered a very mean opinion of courts martial; he ſaid, "that the diſcipline of the army was already in a very bad way, and were the motion to take place, he was afraid it would be abſolutely deſtroyed." He then mentioned a fact which his friends were of opinion he ought to have ſuppreſſed. For he told the houſe, "that when the famous South-ſea ſcheme was in agitation, he was one of the 55 who divided againſt it in the houſe of commons, for which he was threatned to be ſtript of all his employments." Mr. Pulteny, in the ſpeech he made on this occaſion, ſaid very little that was new; only that general Wade had, in the fact he mentioned of himſelf, given the ſtrongeſt reaſon that could be imagined in favour of the motion. He likewiſe affirmed, "that, to his knowledge, a bill of the ſame nature was actually drawn up, approved of by king George the firſt, and was to have been brought into the houſe by general Stanhope; but that he was ignorant how it came to miſcarry." Mr. Pelham ſpoke next; but the ſubject being already exhauſted on his ſide of the queſtion, he ſaid little but what had been ſaid before. Sir William Wyndham then ſaid as much for the motion as it could poſſibly bear. He mentioned, "that the monarchy of England was limited. Our conſtitution," added he, "depends on its not being in the power of the crown to break through the limits preſcribed by law, or to manage ſo, as to render them quite ineffectual; for when either of theſe comes to be the caſe, our conſtitution will be at an end: the monarchy can no longer be ſaid to be limited, any more than a man can be ſaid to be under any reſtraint, who though locked up in a room, has the key in his pocket, and may open the doors when he pleaſes; or has proper materials at hand, and may break open the door and walk out whenever he has a mind. We are therefore never to give a power to the crown;

General Wade.

Mr. Pulteny.

Mr. Pelham.

Sir William Wyndham.

Geo. II. 1733-4. crown; we ought not to leave the crown in poſſeſſion of a power which may enable any future king to ſhake off all the limitations which the royal power ought by our conſtitution to be ſubject to."

He then endeavoured to ſhew the diſcouragement that young gentlemen of fortune and family would be under, in caſe of a war; and pretended, none of them would enter into the army if the motion did not paſs. But as experience has ſince fully confuted all that was offered in favour of the motion, we ſhall dwell but little longer upon this debate, (which then made a great noiſe both abroad and at home) after obſerving that ſir William Yonge again ſpoke againſt the motion, but that he had the misfortune to ſpeak after ſir William Wyndham, and had little new to offer. Sir Thomas Sanderſon ſpoke next in favour of the motion; lord Glenorchy againſt it; ſir John Barnard for it, and colonel Mordaunt and the lord advocate of Scotland againſt it. Sir Robert Walpole at laſt aroſe, and ſaid, "that the motion tended towards reducing the government to a ſtratocracy or a military conſtitution." He took notice, "that the proviſion left by the motion, giving the king power to remove generals, would be very ineffectual, if he was bound up from removing inferior officers, who depend upon, or are aſſociated with that general, in whom all the danger lies." He ſaid, "that the two noblemen lately removed, were ſucceeded by two [a] others of as great eſtates, as good families, and of as untainted characters, as any gentlemen in the kingdom." He then obſerved, "that the crimes pretended by the tories for removing the great duke of Marlborough from his command, were thoſe that would be eſtabliſhed by the motion, were it to take place. That he was contriving how to make himſelf general for life; that he was too great for his miſtreſs, and had thrown off all dependence upon the crown; that he aimed at making himſelf perpetual dictator; and," added he, "to give ſome colour to the ſpreading this calumny, I remember that a [b] certain zealous gentleman of thoſe days, ſent a large preſent to Mr. Booth, and told him, it was for the part he acted in the tragedy of Cato againſt a perpetual dictator. This ſhews, ſir, that it was then looked upon as a great crime for an officer to endeavour to be independent of the crown; and why it ſhould now appear in a light ſo different, as to

Sir Robert Walpole.

[a] Viz. The duke of Argyl and the earl of Pembroke.
[b] Viz. Lord Bolingbroke.

make

make the people think it neceſſary to frame a law for that very purpoſe, I cannot imagine. Geo. II. 1733-4.

"We know, ſir, that great endeavours have been of late uſed to make it be believed abroad that this is a divided nation, that the people are diſſaffected. Hitherto all ſuch endeavours have had but little effect; but if this propoſition ſhould paſs into a law, will not foreigners have reaſon to believe what they have heard. They cannot imagine that the removing two colonels of regiments could have produced ſuch a law; but will naturally ſay, What we have heard we ſee now true; the parliament has no confidence in the king, and they have therefore taken from him that power which his predeceſſors enjoyed. Is this, ſir, an opinion that we ought at any time to promote amongſt our neighbours abroad, but eſpecially at preſent, when a juſt opinion of the unanimity and ſtrength of this nation may be ſo neceſſary for preſerving a juſt ballance of power in Europe, and conſequently the very being of this nation? In ſhort, ſir, the regulation propoſed can do no good; it may produce a multitude of miſchiefs; and therefore, I think we ſhould all ſay on this occaſion, "nolumus leges Angliæ mutare." Upon finiſhing this excellent ſpeech, lord Caterlough, an officer of the army, declared, "that he could neither in honour nor conſcience vote in the queſtion, and therefore withdrew." The queſtion was then put, and carried in the negative without a diviſion. Lord Caterlough.

Had not the fact been ſo notorious, the underſtanding reader, perhaps, would have ſome difficulty in believing, that gentlemen of great abilities, properties, and knowledge of the conſtitution, could have been ſo earneſt in a queſtion which, had it paſt, they themſelves muſt have been the firſt to move for repealing it; or that they who gloried in the character of being jealous of military power, ſhould endeavour to render the army independent both of king and parliament. Reflections.

But to ſay the truth, the party neither expected nor deſired to ſucceed in the motion. All they intended was to have an opportunity of ſaying ſevere things againſt the miniſter, and to introduce another motion, which was more directly levelled againſt his power. For the debate being finiſhed, Mr. Sandys moved, "That an humble addreſs be preſented to his majeſty, humbly to deſire his majeſty, that he would be graciouſly pleaſed to inform the houſe, by whoſe advice it was that his majeſty was pleaſed to diſcharge his grace Charles duke of Bolton, and the right honourable Richard lord viſcount Motion about removing the duke of Bolton and lord Cobham.

Geo. II. 1733-4. count Cobham, from the regiments lately under their ſeveral commands, and what crimes were alledged againſt them that were the occaſion thereof."

This motion, though as unſucceſsful as the former, was regular and conſtitutional. Motions of the ſame kind had often been made in parliament, becauſe it never is preſumed that the king can do wrong; and when an apparent wrong is committed, it is always ſuppoſed to be through bad advice, which the parliament looks upon as the proper object of their cenſure. But we are, at the ſame time, to reflect, that ſuch addreſſes as that now moved for, never were made but in times of great provocation, and when repeated attacks by power had been made upon the conſtitution. The oppoſition knew their own ſtrength in this motion. They knew that the mere pleaſure of the king was no parliamentary argument; nor could the miniſter or his friends venture to aſſign any other reaſon for it. They, therefore, very wiſely reſolved to avoid all debates upon the occaſion; nor could all the invectives poured out by Mr. P. and ſir William Wyndham, provoke them to a reply. The former ſaid, "that ſhould any miniſter ſo far engroſs the royal ear as to be able to perſuade his maſter to diſmiſs a faithful approved of ſervant, only for oppoſing his wicked ſchemes, the king, inſtead of being the firſt man, would be only the firſt ſlave in the nation." Upon his finiſhing his ſpeech, the friends of the miniſter called for the queſtion, which made ſir William treat their behaviour as being indecent; and then he launched out into great encomiums upon the perſon, the merit, and the ſervices of ſir Richard Temple lord Cobham. All his eloquence, however, could not extort any reply; and the queſtion being put, the motion was rejected by a majority of 252 againſt 151.

Speeches about the ſame.

The enemies of the miniſter laid ſo great a ſtreſs upon the prejudice which the two rejected motions would do him in the minds of the people at the approaching general election, that upon the ſame day they were rejected in the houſe of commons, the duke of Marlborough preſented to the houſe of lords a bill, entitled, An act for the better ſecuring the conſtitution, by preventing the officers of ſuch land forces as ſhall, at any time, be allowed by authority of parliament, from being deprived of their commiſſions, otherwiſe than by the judgment of a court-martial to be held for that purpoſe, or by addreſs of either houſe of parliament.

Debates in the houſe of peers upon the ſame queſtion.

The arguments made uſe of on both ſides in the houſe of peers, were much the ſame as thoſe we have ſeen upon the

like queſtion in the houſe of commons. The bill was introduced, by a very handſome ſpeech by the duke, and the earl of Cheſterfield, ſeeing that it was likely to be thrown out without debate, and before it had a ſecond reading, ſupported it with ſuch a body of eloquence, as drew on a debate contrary to the deſign of the miniſterial party. Lord Harvey was provoked into an anſwer; and he was replied to by the earl of Orrery, who was anſwered by the earl of Cholmondley, and he by the marquis of Tweedale. The duke of Newcaſtle ſpoke next very fully, and ſet ſome of the capital arguments againſt the bill in a new light; but as on both ſides they were in matter the ſame as thoſe already inſerted, they are here omitted. The earl of Cheſterfield undertook to recapitulate and anſwer all the objections that had been made to the bill, which he performed in a moſt maſterly manner; but it was unſatisfactory to the houſe. He ſaid all that was then ſaying on the ſame ſide of the queſtion in the houſe of commons, and embelliſhed it with a clearneſs of ſentiment and purity of diction peculiarly his own. The houſe was charmed, but not convinced; for upon the queſtion being put, whether the bill ſhould be read a ſecond time, it was carried in the negative by a majority of 78 againſt 49 lords preſent, and of proxies 22 againſt 13; in all, the majority was 100 againſt 62. But the earl of Scarborough was not contented with this ſlight put upon the bill.

Geo. II. 1733-4.

Earl of Cheſterfield.

He had conſidered the queſtion with more attention than perhaps any member of either houſe. He was a man of ſtrong natural parts, but he ſeldom exerciſed them; he was devoured by that malady which amongſt foreigners is become proverbial to the Engliſh; and it was very viſible in his looks and demeanour. He had reading, but was ſhy of applying it. He was early a favourite with his royal maſter; and it muſt be admitted, that his private virtue and diſintereſtedneſs at the time now deſcribed, attoned for great part of the venality that infeſts courts. Though there was founded, upon a ſimilarity of manners and genius, the ſtricteſt friendſhip between him and the earl of Cheſterfield, who had ſo warmly ſupported the bill, yet that could not warp him from the duty he owed to his prince and his country. He apprehended the bill to be a direct attack upon the prerogative of a prince, who never had exerciſed it but for the good of his people. In the ſpeech he made upon this occaſion, he ſhewed, that had the bill paſſed, it muſt have added greatly to the weight and intereſt of the officers of the army, who not being removeable but by a judgment of their own peers, that is, officers,

Earl of Scarborough; his character.

perhaps,

Geo. II. 1733-4. perhaps, equally guilty, would have looked upon their commiſſions as ſo many freeholds, and would ſoon have found means to elbow the civil power, ſo as to get intereſt in parliament, ſufficient to prevent any addreſs of either houſe againſt them. He obſerved, that if an officer was oppreſſive in his quarters, the party oppreſſed had a remedy, by applying to the king, who was to caſhier ſuch officer, if the crime was proved; but had the bill taken place, the poor oppreſſed party muſt have had recourſe to a court-martial, compoſed, perhaps, of officers, all of them guilty of the like oppreſſions, and therefore, not likely to give him any redreſs. Upon the whole, therefore, his lordſhip was not contented with refuſing the bill a ſecond reading, but moved, that it might have a farther note of diſgrace, by being rejected; which was accordingly agreed to, without any diviſion.

Lord Carteret's motion for an addreſs.

Upon this, lord Carteret moved, as had been done in the houſe of commons, "that his majeſty ſhould be addreſſed, that he would be graciouſly pleaſed to acquaint the houſe, who adviſed his majeſty to remove the duke of Bolton and the lord viſcount Cobham from their reſpective regiments, and what crimes were laid to their charge."

Lord Bathurſt. Earl of Ilay. Duke of Argyle.

This motion, which was ſupported by almoſt the ſame arguments as thoſe for the bill, had the ſame fate. Lord Bathurſt ſpoke for it, and the earl of Ilay, and his brother the duke of Argyle againſt it. The latter ſaid, "that though two officers had been diſpoſted, only one ſoldier had loſt his regiment." This was meant of lord Cobham, the duke of Bolton being no ſoldier. The earl of Angleſey happened, (which he ſeldom was) to be then in the houſe, and made a ſpeech in favour of the motion. He was conſidered as a good ſpeaker, but he took for granted a fact, which was denied by the earl of Cholmondley, that the removal of the two noble lords from their regiments, had created an univerſal diſcontent all over the nation. The duke of Montroſe, who had likewiſe reſigned the privy-ſeal of Scotland, ſpoke in favour of the motion, as did lord Gower; and never was ſo much eloquence employed upon ſo indefenſible a ſubject.

Diviſion, and proteſts.

At laſt, upon a diviſion, the motion was rejected, by a majority of 77 againſt 48. Strong proteſts, however, were entered both againſt rejecting the bill and the motion. The former was ſigned by thirty-three peers, and the latter by thirty-ſix; beſides a ſeparate proteſt, entered by the duke of Bolton and lord Cobham, and ſigned by them only.

The next meaſure of the oppoſition was to revive a motion for a bill, which had taken its riſe from the moſt unjuſtifiable

juſtifiable part of the oppoſition to king William's meaſures, and had often been brought in, but never had paſſed into a law. It was entitled, "A bill, for ſecuring the freedom of parliament, by limiting the number of officers in the houſe of commons," meaning civil, as well as military, officers. As to the number limited, and the officers excluded from the houſe, they were to be filled up; for when Mr. Sandys brought in the bill, which he did the 19th of February, they were blank. Being read a ſecond time, February 26th, a debate aroſe about committing it. The miniſter and his friends imagined, that the conſtitution was already ſufficiently ſecured againſt place-men, by the proviſion, which orders a re-election when a member accepts of any place. They farther thought, that to diſable a gentleman from ſitting in parliament, merely becauſe he has the honour to ſerve the crown, was taking from the people their inherent right of chuſing any gentleman they pleaſed, if he was qualified in point of property, and in every other reſpect. Some likewiſe thought, that by too great an excluſion, a ſeat in parliament might come to be contemptible, as all they who are excluded, would join together in rendering it ſo. They likewiſe thought, that the crown was not treated with ſufficient decency, by the bill excluding from the houſe of commons ſo great a number of its ſervants.

Geo. II. 1733-4.

A place-bill for the houſe of commons moved for.

Oppoſed.

On the other hand, it is not to be diſſembled, that at the time now treated of, the evil complained of ſeemed to demand ſome redreſs. The wiſeſt friends of the miniſter were of that opinion; and he would willingly have before this gone into it himſelf, had not the excluſion demanded by his enemies, been too immoderate. It is certain, that the houſe had a right to impoſe qualifications upon its own members, without wounding any of the privileges of the electors; nor was it eaſy to conceive, that the clerk of an office, ſitting in that houſe, could be very ready to give his vote againſt the very perſon from whom he held his place. It was likewiſe to be conſidered, that the friends of the bill were now far from attempting to exclude from the houſe, any of the members of the great boards of the treaſury, the admiralty, trade and plantations, and the like; nor was any gentleman to be excluded, who, by his ſtation under the crown, could be ſuppoſed capable of giving the houſe the neceſſary lights in his department of buſineſs.

Notwithſtanding the ſerious manner in which the bill was brought in and ſupported, it was treated with a good deal of intemperate mirth by the miniſterial party; and upon its being

Geo. II. 1733-4.

being put to the queſtion to commit the ſame, it was reſolved in the negative, by a majority of 210 againſt 191. This was but a ſmall majority, conſidering the importance of the bill, and the greatneſs of the debate, in which the beſt ſpeakers on both ſides exerted themſelves to the utmoſt. But a new general election was at hand; the queſtion was popular, and many voted for it, who would have been againſt it any other time.

Loſt, upon a diviſion.

Qualification-bill.

The ſame day, on which the above bill was read in the houſe, the qualification-bill, intitled, "An act for ſecuring the freedom of parliaments, by the further qualifying the members to ſit in the houſe of commons," received a ſecond reading; but upon a motion being made for committing it, the ſame was carried in the negative, by a majority of 208 againſt 127. Next day, the houſe going into a committee of ſupply, it was ordered, "that the account of the neat income into the exchequer of the duties of ſalt, granted to his majeſty, by an act of the 5th year of his reign, as alſo an account, ſhewing how much of the ſum of 500,000 l. raiſed upon the credit thereof, hath been diſcharged, be referred to the committee." The conſequence of this order was, that the committee reſolved it to be their opinion, "That towards raiſing the ſupply, granted to his majeſty, the ſeveral duties on ſalt, and alſo on red and white herrings, delivered out for home-conſumption, which, by an act of the 5th year of his preſent majeſty's reign, were revived and granted to his majeſty until the 25th of March, 1735, be further continued and granted to his majeſty, his heirs, and ſucceſſors, from the 24th day of March, 1734, to the 25th day of March, 1742." Upon this reſolution, a bill was immediately ordered in, and it paſſed into a law, after a very faint oppoſition, notwithſtanding all the clamour that had been raiſed againſt the ſame duty ſome time before. But, in fact, the enemies, as well as the friends, of the miniſter, had meaſures to obſerve; and they knew that nothing could be more unpopular at the next general election, than to load the landed intereſt, by doubling the land-tax, which muſt have been the caſe, had not the ſalt-duty been continued to his majeſty.

Loſt, upon a diviſion.

Supply voted.

Salt-tax continued.

Bill againſt ſtock-jobbing.

A bill was now depending before the houſe, to prevent the infamous practice of ſtock-jobbing. It had before been brought in by ſir John Ruſhout, who had been at great pains to carry it through, but it had received in the other houſe ſo many amendments, that, upon its returning to the commons, it was dropt. The bill, however, was, by ſome excellent judges,

judges, thought to be formed upon a right principle, and on the 7th of March it paſſed the houſe of commons. In the houſe of peers, it met, as before, with oppoſition. Some lords, with great ſhew of reaſon, thought, that, what the bill conſidered as ſtock-jobbing, was only a fair and ingenious method of a man making the moſt of his money in the public funds; and that if any clogs were laid upon tranſactions of that kind, it might be of the moſt fatal conſequence to public credit, and loſe a very great branch of trade by the commiſſion-money, paid every year by foreigners, amounting to upwards of 80,000 l. a year. That it was hard to bind any man up from making, in a legal way, the beſt of his money, eſpecially as it put him under reſtrictions and conditions, which he could not dream of, when he lent his money to the public; and that he, thereby, in fact, loſt ſo much of his property; becauſe property becomes the leſs valuable, the more it is clogged with reſtraints and conditions. The bill had provided ſtrongly againſt that ſpecies of ſtock-jobbing, that was carried on under the colour of wagers. But it was ſaid by the enemies of the bill, that no argument could be drawn in favour of it, from the law that had been made againſt laying wagers about public affairs, becauſe thoſe that might be concerned in ſuch wagers, had never purchaſed from the public a privilege to lay any ſuch; whereas, the creditors of the public had, in ſome manner, purchaſed a privilege of taking any method they thought proper, for making the moſt of the money they had in the public funds.

Geo. II. 1733-4.

Notwithſtanding the plauſibility of theſe and many more arguments againſt the bill, the arguments brought in ſupport of it, were ſo ſtrong and ſo ſolid, that they admitted of no reply. It was clearly proved, that ſtock-jobbing had worſe conſequences than gaming, and that it was a gaming of the very worſt ſort. It appeared, that as the price of ſtock roſe or ſunk, in proportion to the favourable or unfavourable turn, which foreign affairs were likely to take, it was always in the power of a foreign miniſter, who had the direction of affairs abroad, to draw almoſt what ſums he had a mind out of England, by means of a correſpondent here. A great many other inconveniencies were ſhewn, to attend this pernicious practice; and the houſe of peers was ſo well convinced of the utility of the bill, that at laſt it paſſed for three years.

Paſſes.

The friends of this bill themſelves were diſappointed in its being ſuffered to paſs. They had endeavoured to prepoſſeſs the public with a notion, that the greater part of the miniſter's power and income, and thoſe of his friends, aroſe

Geo. II. 1733-4. from ſtock-jobbing; and that as he was in all the ſecrets of affairs, both at home and abroad, he made uſe of his knowledge to influence the funds in the manner he thought moſt for the advantage of himſelf and his creatures. This notion was not more injurious to his character, than it was falſe in itſelf; and he treated it with a becoming diſdain, by ſuffering the bill to paſs, though ſome parts of it were contrary to his private judgment.

It is here thought ſuperfluous to give the reader all the debates that this year happened upon the army, and upon other points which have been already exhauſted in the courſe of this hiſtory.

Motion for repealing the ſeptennial act. By Mr. Bromley.

But the moſt important and ſolemn debate that happened this ſeſſion in the houſe of commons, was that upon the motion for repealing the ſeptennial act. All the writers for the oppoſition had always preſumed, that the miniſter found his account in ſeptennial, more than he could do in triennial, parliaments; and as the prolongation of the time of a parliament's ſitting from three to ſeven years, was no other than an expedient for preſerving the peace of the nation at a particular juncture, the cauſes of which they preſumed no longer to exiſt, they ſummoned up all their force to make a deciſive puſh upon this occaſion. Add to this, that frequent returns of an opportunity to vote, being moſt agreeable to the generality of electors all over the kingdom, the friends of the motion were in hopes of being able, even though they ſhould not ſucceed within doors, to ſtrengthen their intereſt without. Accordingly, March 13th, upon a motion of Mr. Gibbon, the ſerjeant, with his mace, went to the court of requeſts, and the adjacent places, where he ſummoned the members to attend the ſervice of the houſe; which being now very full, Mr. Bromley, of Warwickſhire, opened the debate, by obſerving, "that the reaſons for prolonging the ſitting of parliaments from three to ſeven years, were now at an end. That the people in general looked upon ſeptennial parliaments as a grievance and an innovation in the conſtitution." He then gave a detail of the inſtitution of frequent parliaments, and particularly, that the act made the 16th of Charles II. wiſely provides againſt the too long continuance of one and the ſame parliament, by enacting it into a law, that a new parliament be called once in three years, and oftener if there is occaſion. He obſerved, that this act was expreſsly confirmed by the bill of rights. That between the time of the revolution to the firſt year of the late king, no parliament had ſat above three years, and ſome only one ſeſſion.

See Vol. XIX. p. 4. & ſeq.

seſſion. He thought that triennial parliaments were more grievous than annual ones; and conſequently a ſeptennial parliament muſt be more than doubly more grievous than a triennial one. "But, ſir," continued he, "ſuppoſing I ſhould be out in this point, which I can never give up without due conviction, the argument in the preamble to the ſeptennial bill (which was read) is entirely at an end. The act againſt bribery and corruption, which muſt ever redound to the honour of this parliament, will neceſſarily remedy this evil. That glorious act will prevent corruption in the electors. Nothing but frequent new parliaments can remedy it in the elected." He then hoped that he would get the voices of many gentlemen who had voted for the ſeptennial act to vote for the repeal of it, becauſe the reaſons no longer continued. He then moved for leave to bring in a bill for repealing the ſeptennial act, and for the more frequent meeting and calling parliaments. Geo. II. 1733-4.

Mr. Bromley was ſeconded by ſir John St. Aubin, knight of the ſhire for Cornwal; he was a gentleman of a very fair character in the houſe, and well beloved by his country; he had no perſonal enemies even amongſt the miniſtry, though he never gave them a vote. His ſpeech upon this occaſion gave a kind of detail of the duration of parliaments, ever ſince the time of Henry VIII. how triennial parliaments came to be ſecured at the revolution, and how they came again to be loſt to the nation when the ſeptennial act took place. He next was at ſome pains to prove, that ſeptennial parliaments are moſt proper for the purpoſes of a wicked miniſter; but that the more frequent parliaments are, they are the more ſalutary both for the king and people: though at the ſame time, throughout his whole ſpeech, he complained greatly of the increaſing influence of the crown. He was anſwered by Mr. Conduit, a relation of the great ſir Iſaac Newton, and an ingenious gentleman. He endeavoured to ſhew, by extracts from Prinn's writings, that the prerogatives of the kings of England, and the liberties of the people, are very different from what they were in former days. He took notice, that the heavy complaints againſt Charles I. and his ſon James II. did not ariſe for continuing the ſame parliament too long, but for not calling or holding any parliament at all. He thought, that the miniſtry could have more eaſily managed a triennial than they can a ſeptennial parliament; and confirmed his obſervation by ſaying, "that in ſeptennial parliaments it has been ſeen, that a ſmall minority againſt the miniſter at the beginning of the Sir John St. Aubin.

Geo. II. 1733-4. parliament, has often encreaſed greatly, nay, almoſt has come to a majority, before the end of it." He thought, that the diſpoſal of poſts and places rather weakened than ſtrengthned the crown; becauſe every place having three or four candidates for it, when but one can ſucceed, the diſappointed ones immediately become enemies to the court. He maintained, that the reaſons for paſſing the ſeptennial act ſtill exiſted; that one of thoſe reaſons was, the ſpirit of jacobitiſm that prevailed when the ſeptennial act paſſed; and he thought, that the great diſcontents that had lately broke out in the nation, had in them a great mixture of jacobitiſm.

Sir Thomas Robinſon.

Sir Thomas Robinſon ſpoke next againſt the queſtion, and maintained, that the expences of chooſing triennial parliaments, muſt fall far heavier upon the public than the expence of chooſing ſeptennial ones. He obſerved, that during the twenty-two years while triennial parliaments continued, they were found to be attended with great inconveniencies; whereas during the eighteen years in which ſeptennial parliaments had continued, many excellent laws had paſſed, and many wiſe inſtitutions formed for the good of the people. He took notice, with great juſtice, that when gentlemen ſpeak of the whole conſtitution of England, they ſpeak in very vague terms; becauſe the conſtitution of England never was fixed till the time of the revolution. He next examined the ſtate of parliaments under the reigns of Charles I. and Charles II. and maintained, that in the longeſt parliament that ever ſat in England, which happened under the laſt mentioned prince, the longer they ſat, they were the more and more averſe to the meaſures of the crown, notwithſtanding all the force of corruption employed to ſeduce them; and therefore, by parity of reaſoning, ſeptennial parliaments are more favourable to public liberty than triennial ones are. In ſhort, he thought that a deſire to revert back to the practice of remote antiquity in that reſpect, might be compared to a man in his full growth and ſtrength deſiring to return back to his childhood. He obſerved, that if antiquity was to be the only rule, a ſeſſion of parliament ought ſeldom or never to continue above twenty days; for parliaments, in former times, had not buſineſs to keep them longer ſitting: but, in fact, the whole form of the conſtitution has been altered ſince then, by the alterations that have happened in the modes of property, and the multiplication of buſineſs, through the increaſe of agriculture, arts, manufactures, and commerce. He affirmed, that ſhould the motion paſs into an act, it muſt have a very bad effect upon all foreign negotiations; becauſe foreign

foreign miniſters, in their dealings with Great Britain, and with other courts likewiſe, are greatly determined by the ſentiments of a Britiſh parliament: but ſhould they have thoſe to conſult a-new every three years, they could not know how to determine themſelves in many great and important points. Geo. II. 1733-4.

Lord Noel Somerſet, afterwards duke of Beaufort, ſpoke next in favour of the queſtion; but ſaid little or nothing new. Colonel Bladen, in his ſpeech againſt the motion, went chiefly upon the detriment it muſt be of to the foreign intereſt of England, at that conjuncture, when Italy was ſwallowed up by France and her allies: the French pouring her armies into the empire, and the Dutch reduced to beg a neutrality for Flanders. Lord Noel Somerſet.

Mr. (afterwards ſir) Watkin Williams Wynne, ſpoke next in favour of the motion. He was a gentleman of Wales, undaunted in his perſon, and inflexible in his principles, which were by no means favourable to thoſe of the revolution. His manner of living and converſation, greatly reſembled thoſe whom we may call the beſt models of Britiſh antiquity; and his eſtate being large, he was enabled to puſh the chieftainſhip, which he affected, to the utmoſt. Having great experience in elections for members of parliament, he thought himſelf particularly intereſted in this queſtion; and he inſiſted upon it, that a man who could get 100 guineas for his vote for a ſeptennial parliament, would not get 15 for a triennial one; and that bribery and corruption are the natural conſequences of long parliaments. He was anſwered by ſir John Willes, attorney-general, who ſpoke againſt the motion. He obſerved, "that if any time was to be fixed upon for imitating the old conſtitution in regard to parliaments, we are not ſurely," ſaid he, "to take the time when our conſtitution was weak and in its infancy; we are certainly to chuſe that time when it was come to its full ſtrength and vigour, which, in my opinion, is the preſent: but as gentlemen have mentioned the claim of rights, let us examine how it ſtood at that time; for I am perſuaded it will be agreed to by every gentleman in this houſe, that after that claim was ſettled and confirmed, our conſtitution was more vigorous than it ever was before that time; and yet, even in our claim of rights, there is no mention made of frequent new parliaments. It is, indeed, ſaid, that for redreſs of grievances, and for amending, ſtrengthening, and preſerving the laws, parliaments ought to be held frequently; but it is not ſo much as inſinuated, that every one of theſe parliaments ought to be a new parliament; and as to the frequency of Mr. Watkin Williams Wynne; his character. Sir John Willes, attorney-general.

Geo. II. 1733-4. parliaments, I am ſure there never was leſs reaſon for complaint than ſince the ſeptennial bill paſſed; for ever ſince that time, the ſeſſions have been regularly held, and all of them have been allowed to ſit as long as it was neceſſary or proper they ſhould." He then obſerved, that even the triennial act was not obtained upon the principles of liberty, but in order to diſtreſs king William and the friends of the revolution. He ſeemed to think, that the tranſition of the conſtitution from triennial to ſeptennial parliaments, was in itſelf a right meaſure, and agreeable to the true principles of the Engliſh government, independent of any temporary conſideration. He maintained, it was owing to the inconveniencies king William was put to by triennial parliaments, that he was forced in ſo diſadvantageous a manner to end the war with France, when he might have carried it on with ſo much glory and advantage for the liberties of Europe: to the ſame cauſe was owing the dangerous treaties of partition, which that monarch was obliged to enter into towards the latter end of his reign, and which were ſo loudly complained of.

It had been ſaid, that the elected during a long parliament, were apt to loſe their dependance upon the conſtituents, which could never be the caſe if parliaments were annual. Upon which ſir John made the following excellent obſervations, which ought to be known to every Engliſhman. "That we have all a dependence on the people for our election, is what I ſhall readily grant; but after we are choſen, and have taken our ſeats in this houſe, we have no longer any dependence on our electors, at leaſt in ſo far as regards our behaviour here. Their whole power is then devolved upon us; and we are, in every queſtion that comes before this houſe, to regard only the public good in general, and to determine according to our own judgments: if we do not, if we are to depend upon our repreſentatives, and to follow blindly the inſtructions they ſend us, we cannot be ſaid to act freely; nor can ſuch parliaments be called free parliaments; ſuch a dependence would be a moſt dangerous dependence: it would, in my opinion, be more dangerous, and of worſe conſequence, than a dependence upon the crown; for in a dependence on the crown, I can ſee no danger as long as the intereſt of the crown is made the ſame with that of the people, which every man muſt allow to be the caſe at preſent; whereas the people of any county, city, or borough, are very liable to be miſled, and may often be induced to give inſtructions directly contrary to the intereſt of their country."

Sir,

Sir John next conſidered the caſe of bribery and corruption, which he ſhewed to be much more formidable in ſound than in reality. "People," ſaid he, "uſually ſuppoſe that corruption is only of one ſort; but this is a miſtake, it appears in many ſhapes: a man may be bribed without giving him money; and even members of this houſe may be bribed without getting any place or preferment from the government. If any gentleman, to pleaſe his borough, and to ſecure his own election, ſhould act contrary to his own judgment, it is as downright bribery as if he had got a penſion, a place, or preferment from the court; and I look upon this as one of the very worſt ſort of corruptions." He then juſtified ſeptennial parliaments, from which the people had found yet no inconveniency; and ſhewed them to be in many reſpects preferable to triennial ones, which once in three years never fails to ſet the whole body of the people mad with rioting and drunkenneſs, to the infinite prejudice of their morals, and the peace of the country, as well as of all trades and manufactures. He concluded with ſaying, "that he had had, of late, opportunities of being in as many, or more, boroughs as any gentleman of the houſe had; and that he had found them all very well inclined towards the preſent adminiſtration, without wiſhing to ſee parliaments any other than ſeptennial." Geo. II. 1733-4.

The ſpeech of Mr. Plummer, in anſwer to this from the attorney general, was of very little conſequence more than a repetition of what had been again and again anſwered before. Sir William Louther voted againſt the bill, becauſe he thought it would promote popery; and he mentioned lord Bolingbroke's Diſſertation on Parties, as one of the moſt jeſuitical performances he had ever read. In this he was anſwered by Mr. Cholmondely and ſir John Hind Cotton, who both of them aſſerted, that the papiſts, all over the kingdom, were beſtirring themſelves in favour of the miniſterial party at the next general election. Sir John added, "that ſeptennial parliaments had been productive of ſeveral act, that had greatly incroached upon the liberty of the people." He particularly mentioned the laws for removing priſoners for high treaſon, to be tried in other counties than thoſe where the treaſon was committed. He likewiſe mentioned the riot-act, which he repreſented as a moſt monſtrous invaſion of the peoples natural rights, and the South-ſea act; and he ſaid, "that the exciſe act had been defeated, only becauſe it was brought in at the end of a ſeptennial parliament." Mr. Plummer.

Sir John Barnard next ſpoke in favour of the motion, and attempted, with no great ſucceſs, to ſtrengthen the former argu- Sir John Barnard.

Geo. II. 1733-4. arguments for it: for though nothing could be more conſtitutional than the doctrine laid down by the attorney-general relating to the independency of members upon their conſtituents after their election, ſir John called it a new doctrine. "An honourable and learned gentleman," ſaid he, "has, indeed, advanced a doctrine which I think altogether new; That we are to have no further dependence on our electors, after we have taken our ſeats in this houſe; nay, that a dependence on them would be more dangerous than a dependence on the crown. This, ſir, is really, in my opinion, ſomething very new: though that gentleman may, perhaps, like the one better than the other, yet I ſhall always look upon a dependence on the people of England, or even upon thoſe I repreſent, to be leſs dangerous and more honourable than a dependence on the crown: and I value myſelf more on the honour I have had of ſitting here for two parliaments as one of the repreſentatives of the people of England, and by the free and uncorrupted choice of thoſe I repreſent, than I ſhould do on the greateſt honours the crown can beſtow. Indeed, if I had obtained my ſeat here by bribery, or the illegal and corrupt influence of any great miniſter, I ſhould look on it in a very different light; I ſhould look on it as one of the moſt diſgraceful ſtations I could be in."

Sir William Yonge. The above part of ſir John's ſpeech was thus excellently anſwered by ſir William Yonge, who ſpoke next. "My learned friend happened to make an obſervation, which I ſtill think a very juſt one; he ſaid, that after we are returned, and have taken our ſeats in this houſe, we ought not any longer to have a dependence upon thoſe we repreſent. This the honourable gentleman laid hold of: he not only called it a new and very extraordinary doctrine, but he dropped an expreſſion, ſuch, as I think, ought not to be made uſe of in this houſe. As to the obſervation made by my learned friend, he certainly meant, and I believe almoſt every gentleman underſtood him, that after we have taken our ſeats in this houſe, we ought, every one of us, to look upon ourſelves as one of the repreſentatives of the whole body of the commons of England, and ought not to have any particular byaſs for the county, city, or borough we repreſent. This, ſir, is ſo far from being a doctrine very extraordinary or altogether new, that I wiſh every gentleman in this houſe would make it a ſtanding rule for his conduct: for I cannot help obſerving, that there are ſome gentlemen in the houſe who, on many occaſions, confine their thoughts too much to the particular county, city, or borough they repreſent; but ſurely they

they muſt be ſenſible, that many things may happen in parliament which may be for the intereſt of the nation in general, though they may not, perhaps, quadrate ſo exactly with the particular intereſts of London, Briſtol, Liverpool, or other like city; and in ſuch a caſe the gentlemen muſt ſurely grant, that, as members of this houſe, they ought to drop not only their dependence upon, but even their concern for, the particular city they repreſent, in order to concur with the reſt of the members of this houſe in what they judge to be for the general intereſt of the nation." Geo. II. 1733-4.

Sir William Wyndham endeavoured to ſupport ſir John Barnard; and he maintained, that they were king William's friends, with lord Somers at the head of them, who brought in the triennial bill. He owned, that king William, by the inſtigation of ſome courtiers, was at firſt averſe to it; but at laſt he paſt it. He then, after various reaſoning upon the preference which triennial parliaments ought to have over ſeptennial, drew a moſt hideous character of the miniſter, of the ſtate of the nation, and of the parliament, painting the former in the moſt deſpicable light, and the two latter in the moſt deplorable, that words could repreſent; and ſhewed, that nothing but frequent parliaments could remedy the evils which the nation ſuffered. Towards the cloſe of the ſpeech he touched upon a character much higher than that of the miniſter, and with ſo little delicacy, that he was checked for it by Mr. Pelham, who ſpoke next. He was replied to by Mr. Pulteny; and ſir Robert Walpole cloſed the debate. In his ſpeech, which was one of the beſt he ever made, he drew the character of an anti-miniſter in anſwer to that which had been painted by ſir William Wyndham. By this anti-miniſter, it was evident he meant lord Bolingbroke, who at that time actuated all the meaſures of the oppoſition. At laſt the ſubject being entirely exhauſted, the queſtion was called for, and carried in the negative by a majority of 247 againſt 184.

Sir William Wyndham,

checked by Mr. Pelham.

Mr. Pulteny.

Sir Robert Walpole anſwers ſir William Wyndham.

A few days after this debate, both houſes of parliament reſolved to preſent addreſſes of congratulation to his majeſty and the royal family upon the marriage of the princeſs royal with the prince of Orange. His ſerene highneſs had been elected knight of the garter on the 12th of the preceding June, and the garter was ſent him to the Hague. On the 27th of Auguſt following he was inſtalled at Windſor by proxy. On the 7th of November he arrived in the Fubbs yacht at Greenwich, and was received at London with all the demonſtrations of affection by the royal family, and of joy by the peo-

Marriage of the prince of Orange and the princeſs royal.

Geo. II. 1734. ple. Soon after he was ſeized with an indiſpoſition; but his ſpeedy recovery encreaſed the ſatisfaction of the public. The interval between that and his marriage, had been ſpent at Bath for the recovery of his health, and in viſiting Briſtol and Oxford, where he was made a doctor of laws, as were ſome of his chief attendants. During all this time his ſerene highneſs increaſed the public eſteem for his perſon. He anſwered the Latin ſpeech made him by the orator of the univerſity in the ſame language, which he ſpoke fluently and gracefully; and in his return to London, he received all kind of demonſtrations of the favourable ſentiments the people had of his approaching nuptials, which was celebrated on the 14th of March, with a pomp which had not been ſeen in England ſince the marriage of the princeſs Elizabeth, daughter of James I. with the elector Palatine; from which marriage his preſent majeſty is the third in deſcent. The ceremony was performed by the lord biſhop of London; and ſome days were ſpent in the warmeſt congratulations from the parliament, the city of London, and other public bodies, upon the marriage. On the 18th of March, a bill was ordered in by the commons for naturalizing the prince of Orange. Mr. Pulteny had the good fortune to move for this bill, which was ordered nemine contradicente. The preamble of it contains a fine compliment to the houſe of Orange [a]; and it went through both houſes ſo ſpeedily, that it received the royal aſſent on the 21ſt of March, being carried up to the houſe of peers by Mr. Pulteny. On the 22d of April the

Progreſs of the prince of Orange.

His great popularity.

He is naturaliſed.

[a] Whereas the king's moſt excellent majeſty, whom God long preſerve, has been pleaſed, to the univerſal joy and ſatisfaction of his people, and for the better ſtrengthening the proteſtant intereſt in Europe, to give his eldeſt daughter the princeſs royal, poſſeſſing the moſt exalted virtues, and adorned with all poſſible accompliſhments, in marriage to his ſerene highneſs the prince of Orange, deſcending from that illuſtrious houſe to whom this nation owes a deliverance from popery and ſlavery, and to whoſe memory the kingdom will always expreſs the utmoſt gratitude for the many bleſſings we enjoy, particularly for the happy ſettlement of the crown upon the preſent royal family.

And whereas a more grateful proof of the eſteem and affection of this kingdom cannot be given to the heir of that illuſtrious family, and the inheritor of their virtues, than by an act of naturalization, to make him capable of enjoying thoſe rights and liberties which our great deliverer preſerved to theſe kingdoms.

prince and princeſs embarked on board the Fubbs yacht for Holland, where they arrived ſafely after a ſhort paſſage. Geo. II. 1734.

The gentlemen in the oppoſition all this while affected to give out, that from the large and ſpeedy ſupplies which his majeſty had received, there would be this ſeſſion no vote of credit demanded from the crown. The miniſterial party did not think proper to contradict them; though it was very plain from the ſtate of affairs in Europe, where the war ſtill continued to rage, that ſuch a vote would be neceſſary. Accordingly, on the 28th of March, ſir Robert Walpole delivered to the houſe of commons the following meſſage ſigned by his majeſty.

A meſſage for a vote of credit brought to the houſe of parliament.

"His majeſty very thankfully acknowledges the zeal and affection which this houſe has ſhewn in the early diſpatch they have already made in the neceſſary ſupplies for the public ſervice, which his majeſty recommended to their immediate care at the opening of this ſeſſion.

"But the war which was broke out in Europe, ſtill unhappily continuing, his majeſty has nothing more at heart than to ſee that flame extinguiſhed, and to avoid, if poſſible, the engaging his ſubjects in the hazards and expence of a war; being at the ſame time deſirous neither to give any juſt alarm to other nations, nor to ſubject himſelf to any unprovoked inſults.

"In this view, and to the end that his majeſty's endeavours, in conjunction with his allies for procuring an accommodation, may, in due time, have the deſired effect; and that his majeſty may be in a condition to make good ſuch engagements as honour, juſtice, and prudence may call upon him to fulfil or contract; and that his kingdoms may not be left expoſed to any deſperate attempts during ſuch time as it may be impoſſible for his majeſty to have the immediate advice and aſſiſtance of his great council upon any emergency ariſing from the preſent poſture of affairs in Europe, which may nearly concern the intereſt and ſafety of theſe kingdoms, his majeſty hopes that he ſhall be enabled and ſupported by his parliament in making ſuch further augmentation of his forces either by ſea or land, as may be abſolutely neceſſary for the honour and defence of his kingdoms, and in concerting ſuch meaſures as the exigency of affairs may require. Whatever expence ſhall be thereby occaſioned, ſhall be made in as frugal a manner as is poſſible, and an account thereof ſhall be laid before the next parliament."

When this meſſage was brought into the houſe, the gentlemen of the oppoſition expreſſed great ſurprize at it; and

ſir

Geo. II. 1734.

sir Robert Walpole moving that it ſhould be taken into conſideration next day, a debate aroſe. For Mr. Shippen, and other gentlemen in the oppoſition, pretending that the meſſage being ſo unexpected, and the cauſes upon which it was founded ſo unexplained to the houſe, it was reaſonable for gentlemen to have a few days allowed them before they ſhould enter into the merits of the queſtion; inſiſting, at the ſame time, that in the debates upon the addreſs at the opening of the ſeſſion, it was as good as promiſed by the miniſterial party, that no vote of credit ſhould be demanded during this ſeſſion. But this being flatly denied by the miniſter and his friends, the queſtion was put, and the firſt motion agreed to by a majority of 211 againſt 121.

The meſſage oppoſed and debated.

Carried on a diviſion.

Debate upon the ſame in the houſe of peers.

That ſame day the ſame meſſage came to the houſe of peers; and in like manner it was to be taken into conſideration next day. Accordingly, next day, March 28, the duke of Newcaſtle, who had delivered the meſſage, made a motion agreeable to the ſame; "deſiring his majeſty to make ſuch augmentation of his forces by ſea or land, as his majeſty ſhould judge neceſſary; and to concert ſuch meaſures as the exigency of affairs ſhall require; and to aſſure his majeſty, that this houſe will not be wanting in their duty, in effectually enabling his majeſty to make good all the extraordinary expence that may be incurred, and to fulfil the engagements that may be entered into by his majeſty for the honour, intereſt, and defence of his kingdoms."

Oppoſed by lord Carteret.

This motion was warmly oppoſed by lord Carteret. He thought, that the credit demanded by the meſſage for ſea and land forces, as well as money, was unlimited, and therefore unconſtitutional, and ought to be referred to the conſideration of the new parliament, which might be aſſembled before the nation could be brought into any danger, let the event of the war be what it will. But towards the cloſe of the ſpeech he threw in a more important conſideration, which was, that as the parliament had already voted the mutiny bill, he did not conceive that any forces but thoſe voted by parliament at the time that bill paſſed, could be ſubject to it. He was anſwered by the duke of Argyle, who ſaid, with ſome diffidence, "that he conceived the mutiny bill always did, and now does, extend not only to the number of forces therein mentioned, but to all the land-forces that ſhould be raiſed within that year."

Anſwered by the duke of Argyle.

Earl of Cheſterfield oppoſes the motion.

He was anſwered by the earl of Cheſterfield, who thought the meſſage irregular, and that even the expiring parliament might

might by law ſit long enough to take the grounds of it under their conſideration. He run over the ſtate of Europe, and concluded, that Great Britain had nothing immediately to fear. He then compared the purport of the meſſage to the dictatorial power of old Rome, which was at firſt granted for a limited time, but came at laſt to deprive the people for ever of the power both of the ſword and the purſe. Lord Hardwick, who ſpoke for the motion, was very clear, that though the mutiny act mentions in its preamble the number of forces voted by parliament for the current year; yet that the enacted clauſes being general, they comprehend all the regular forces that then were on foot, or that ſhall be raiſed in this kingdom during the continuance of that act. He was anſwered by lord Bathurſt, who ſaid, "that he was very ſure, that in former mutiny acts the number of forces to be kept up were to be ſo many and no more; and he did ſuppoſe that the ſame words ſtood in the mutiny act paſſed that year." He affirmed, that the general words in the enacting part of that bill, could regard no other ſubjects of his majeſty than the number mentioned in the preamble. He inſiſted, that by agreeing to the vote under their conſideration, the houſe could not ſtrip any ſubject of the rights and liberties he is intitled to by Magna Charta. That the mutiny bill ſtripped thoſe who are ſubject to it of many of the rights and privileges they did enjoy by Magna Charta; and if a vote of one or both houſes of parliament could give the crown a power of raiſing men, and ſubjecting them to the mutiny-act, the ſame vote might give the king a power of impreſſing men, and conſequently that no man in England was ſure for an hour of his privilege as a free-born ſubject.

Geo. II. 1734.

Defended by lord Hardwick,

who is replied to by lord Bathurſt.

During the whole courſe of this debate it was admitted on all hands, that in caſe of an unforeſeen emergency, the crown might do the very thing that was required by the meſſage. This was taken notice of by lord chancellor Talbot, who ſpoke for the addreſs, and who ſaid, "it was unreaſonable to ſuppoſe that an adminiſtration, always under the controul of the parliament, would abuſe the truſt merely becauſe they might abuſe it; and that too at a juncture ſo critical, as to demand the utmoſt care and attention of his majeſty to put the nation upon a reſpectable footing with regard to its neighbours." He thought farther, that the agreeing to the meſſage, would give foreigners ſuch an idea of the unanimity of his majeſty and his parliament, as might effectually extinguiſh the flames of war.

Lord chancellor Talbot for the motion.

Lord

Geo. II. 1734.

Lord Carteret, who ſpoke again in this debate, thought, that if the meſſage was agreed to, the people would be ſo averſe to comply with it, that it would greatly weaken the opinion which foreigners might have of their unanimity. He likewiſe ſaid, "that Great Britain was always more in danger from the deſigns of its neighbours in time of peace than ſhe was in time of war." Lord Ilay, who ſpoke in favour of the motion, was of a very different opinion in this reſpect; and he thought, that if he ſhould refuſe to grant the powers now aſked for, he ſhould be as criminal as a ſervant who knowing his maſter's houſe in danger, ſhould leave the door open for thieves to enter, to rob the houſe and murder the family. He was anſwered by the earl of Winchelſea; and the whole debate, of which we have given a compleat ſummary, was cloſed by lord Hervey. Upon a diviſion the queſtion was carried to preſent the addreſs by a majority of 76 againſt 39 lords preſent, and of 25 proxies againſt 19. But a proteſt againſt it was entered by 33 peers.

Lord Carteret again.

Earl of Ilay.

The meſſage carried.

Diviſion.

When the ſame meſſage came under the conſideration of the commons, according to their vote, the bill was opened by ſir Robert Walpole, who found it neceſſary to be a little more explicite than he and his friends had been in the debate the day before. For he ſaid, "that the French had a large fleet in thoſe ports which lie neareſt to England, with ſome thouſands of men on board; that they were then aſſembled, ſome of the ſhips actually then at ſea, and ſome of them ready to put to ſea: and that though he did not believe that they were intended for England, yet it was hard to ſay what might happen; and that, therefore, he was one of thoſe who had adviſed his majeſty to ſend the meſſage under their conſideration." He brought ſeveral precedents of the like meſſages being ſent upon the like occaſion, and concluded with a motion,

Commons deliberate upon the meſſage.

"That an humble addreſs be preſented to his majeſty, to declare the duty and fidelity of this houſe to his majeſty, and the entire confidence which they repoſe in his royal care and endeavours for the ſecurity of his kingdoms, and for reſtoring the peace of Europe; to expreſs the juſt ſenſe they have of his majeſty's attention to the true intereſt of his people in previouſly taking the advice and concurrence of this houſe at this critical conjuncture, in order to make the neceſſary preparations againſt any emergencies ariſing from the preſent poſture of affairs in Europe, eſpecially during the interval of parliament; to deſire his majeſty to make ſuch augmentation of his forces by ſea or land, as his majeſty, in his great wiſdom, ſhall

Motion made thereupon by ſir Robert Walpole.

ſhall judge neceſſary; and to concert ſuch meaſures as the exigency of affairs ſhall require; this houſe not doubting but that his majeſty will find that his faithful commons will, at all times when the accounts ſhall be laid before them of the extraordinary expences incurred by his majeſty for the honour, intereſt, and defence of his kingdoms, effectually enable his majeſty to anſwer and make good the ſame." Geo. II. 1734.

This motion was objected to by Mr. Shippen, who endeavoured to ſhew, that the precedents brought by ſir Robert Walpole, did not at all anſwer the preſent caſe. And he went ſo far as to apply to the Engliſh parliament what the Roman emperor ſaid of that ſenate, which was ſo complaiſant as to refuſe nothing he aſked; 'O homines ſervire paratos!' Oppoſed by Mr. Shippen and others.

Several gentlemen, after they had ſpoken both for and againſt the motion, and ſir William Wyndham, who ſpoke againſt it, hinted, that the crown had been prevailed upon by miniſters to ſay things in that houſe, even from the throne, that in the event were found not to be true. In this he hinted at the late king's ſpeech, when he aſſerted, that the emperor had entered into engagements for placing the pretender upon the throne of Great Britain, and wreſting Gibraltar from the Engliſh nation. The ſame aſſertion was maintained and enforced by ſir John Barnard; and the miniſter thought his honour ſo much concerned in refuting it, that he ſtood up and affirmed, that what his late majeſty had ſaid to parliament at that time was ſtrictly true; and that he had his information in Germany, and it was ſo good that he could not be deceived. He maintained, that nothing had fallen out ſince that could give gentlemen reaſon for ſaying the information was not true: that Gibraltar being actually beſieged, proved one part of it to be true; "and," continued he, "I am perſuaded there are ſome who are ſorry that the whole of it was not accompliſhed." But, in any caſe, he inſiſted, that the miniſtry here did not give the information, and therefore ought not to be blamed. He added, "that it was offering an indignity to the memory of his late majeſty, to ſet his word in competition with that of baron Palm, the Imperial miniſter, who had denied the fact." Sir William Wyndham.

At laſt, after various other ſpeeches, for and againſt the addreſs, it was carried, by a majority of 248 againſt 147. It was accordingly preſented, and drew from his majeſty a moſt gracious anſwer. The queſtion carried in a diviſion.

Two days after this addreſs was preſented, April 3d, when the houſe of commons was about reſolving itſelf into

Geo. II. 1734. a committee of the whole houſe upon a bill, which had been brought in ſome days before, for enabling his majeſty to iſſue and apply a certain ſum (being twelve hundred thouſand pounds) therein to be mentioned, out of the ſinking fund; a motion was made, "That it be an inſtruction to the ſaid committee, that they have power to receive a clauſe of appropriation, with a power to his majeſty to apply ſuch ſums of money as ſhall be neceſſary for, or towards the increaſe of the expences, that ſhall ariſe by the augmentation of his majeſty's forces by ſea and land, as his majeſty, in his great wiſdom, ſhall judge neceſſary to make, and for concerting ſuch meaſures as the exigency of his affairs may require."

Debate about an appropriating-bill.

The paſſing this inſtruction created great debates; the ſubject of which was the ſame as when the meſſage came to the houſe when the ſalt-bill was debated, and when the laſt money was taken from the ſinking fund; but, upon a diviſion, the queſtion was carried in the affirmative, by a majority of 155 againſt 60. When the ſame bill came to the houſe of peers on the 11th of April, it occaſioned very long debates, in which, amongſt other things, it was inſinuated, "that taking ſo much money from the ſinking fund, and raiſing ſuch great ſupplies in the manner they were then raiſed, was done in order to carry an appearance of eaſing the landed intereſt that election year." At laſt, by the queſtion being put for committing the bill, it was reſolved in the affirmative, by a majority of 64, againſt 32 lords preſent, and of 30 proxies, againſt 19.

Diviſion.

The ſame debated in the houſe of peers.

On the 8th of April, ſir Robert Walpole brought to the houſe of commons the following meſſage, ſigned by the king. "His majeſty having been pleaſed to direct letters-patent to be paſſed under the great ſeal of Great Britain, for ſettling on the princeſs royal an annuity of 5000l. per annum, as a mark of his royal favour and affection to her; and the laws now in being reſtraining his majeſty from granting the ſame for any longer term than his own life, hopes he ſhall be enabled to make ſuch grant for the life of the ſaid princeſs royal, in caſe ſhe ſhall ſurvive his majeſty, and recommends the conſideration thereof to this houſe."

Meſſage about the princeſs of Orange's annuity.

It was expected that this meſſage would meet with no oppoſition; but it was ſaid, "that a future king of Great Britain might not think himſelf bound even by an act of parliament to ſuffer his hereditary revenue, which was obtained in lieu of an inherent right of the crown, the wardſhips, to be mortgaged, given up. But, when it was conſidered, that even the

Debate upon the ſame.

exciſe revenue is granted to every king at his firſt acceſſion to the throne, the objection had no force." The queſtion, however, was called for, and upon a diviſion, leave was given to bring in a bill to enable his majeſty to continue and ſettle an annuity on the princeſs royal, during her natural life, in caſe ſhe ſhall ſurvive his majeſty, by a majority of 139 againſt 57. Geo. II. 1734. Carried, on a diviſion.

CHAP. IV.

Election of the Scotch peers—Proteſts of the oppoſing lords—King Auguſtus acknowledged king of Poland—War in Italy—Parliament meets—Proceedings in the two houſes of parliament—Characters of lord Stair and the earl of Ilay—Great debates in the houſe of peers about the election of the Scotch peers—Treaty with Denmark—Debate upon the ſubſidy—Enquiry upon the privilege of franking—Navy debt—Moderation of the miniſtry—Petition of the church of Scotland—Place-bill—Playhouſe-bill—Character of Mr. Forbes, lord advocate for Scotland—Spaniſh depredations.

DURING thoſe debates in the houſe of commons, the houſe of peers were equally buſied in matters concerning their own body. On the 6th of March, that houſe went into the conſideration of matters relating to the election of peers, for that part of Great Britain called Scotland. It was upon all hands admitted, that the right of ſucceſſion to Scots peerages was very undetermined by the laws of that country, and, by a moſt unaccountable overſight in the act of union, there exiſted no proper judicatory for trying the validity of any claim to a Scots peerage, excepting the court of ſeſſion in Scotland, which many of the Engliſh peers thought was an incroachment upon their rights. It was likewiſe admitted, that at an election of the peers of Scotland, the clerk or clerks officiating there, had a right to admit any claimant of a Scots peerage to a vote. It was therefore moved to reſolve, "that no peer who hath claimed, or ſhall claim right by ſucceſſion to any peerage of Scotland, other than a deſcendant of the body of a peer or peereſs, who has been in the poſſeſſion of the peerage claimed, ſince the 25th of April, 1690, ſhall be admitted to vote at any election of a peer or peers, to ſit in parliament, for that part of Great Britain called Matters of the Scotch peerages before the houſe of lords. Motion thereon.

Geo. II. 1734. Scotland, until his right and title be claimed and determined in this houſe."

It had been greatly to be wiſhed, that this motion could have been complied with; but the tendency of it being directly repugnant to the articles of the union, and the privileges of Scotch peers, and likewiſe to the laws and ſucceſſion to the peerages in Scotland, the ſame was dropt.

Motion concerning the Scotch peerage.

Then it was moved to reſolve, "for the better ſecuring the freedom of the election of a peer or peers, to ſit in the parliament of Great Britain, on the part of Scotland, that the election ſhall be by way of ballot." This queſtion bore a ſtrong debate, it being inſiſted upon, "that the motion tended to ſtrengthen the intention of the articles of the union; and that it was poſſible, as the method of electing peers then ſtood in that country, for a corrupt miniſter to deſtroy the freedom of election, and to make both the elector and the elected ſubſervient to himſelf."

To this it was anſwered, "that the privileges of Scotch peers ſtood upon the ſame footing as they did at the time of concluding the union. That they had then no diſtinct houſe of peers, both peers and commons ſitting in the ſame houſe of parliament; and therefore, matters of ſucceſſion to peerages were ſettled in the court of ſeſſion, as other matters of property were. All which made it evident, that the motion could not be agreed to, without a violation of the articles of the union." Upon this, the motion was rejected, but a proteſt was entered in favour of it by 35 peers.

Other motions concerning the ſame.

The conſideration of matters relating to the election of the Scotch peers, was then adjourned to the 18th of March, when it was moved to reſolve, "that it is the opinion of this houſe, that any perſon or perſons, taking upon him or them to engage any peers of Scotland by threats, promiſe of place or penſion, or any reward of gratuity from the crown whatſoever, is an incroachment on the freedom of elections, and highly injurious to the honour of the peerage." This motion was rejected, upon a previous queſtion being put, by a majority of 73 againſt 43 peers preſent, and of 26 againſt 17 proxies. It muſt be acknowledged, that the laſt rejected motion was at leaſt plauſible, as may be ſeen by its being thrown out upon a previous queſtion; for the main queſtion could not have borne a debate: but no facts having been brought to make it appear that the motion was neceſſary, it was thought that the paſſing it would be conſtrued into an ill-natured reflection upon the adminiſtration. The

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diſmiſſing it, however, occaſioned a ſhort proteſt, ſigned by 32 peers. Geo. II. 1734.

The other debates and proteſts of the peers this ſeſſion, turned upon encouraging in America, thoſe manufactures that could no way interfere with the trade of Great Britain, or which may be of uſe to Great Britain. This queſtion was carried in the negative, becauſe the houſe did not perceive where it might end, or whether it might not interfere with the trade of ſome of our allies of the continent, and our connections with them. Other matters in debate.

On the 16th of April his majeſty thought proper to put an end to the ſeſſion of parliament, which he did, by a ſpeech, "congratulating the houſes upon their unanimity, and upon the meaſures that had been taken for reducing the debt of the navy, which, he ſaid, had been unavoidably incurred, and bore a higher intereſt than the national debt. He then proceeded, in a moſt pathetic manner, to recommend unanimity to his people, and that the parliaments would uſe their beſt endeavours to heal the unhappy diviſions of the nation." The remaining part of the ſpeech is too intereſting and affecting to be omitted here. "It would, ſaid he, be the greateſt ſatisfaction to me, to ſee a perfect harmony reſtored amongſt them that have one and the ſame principle at heart; that there might be no diſtinction, but of ſuch as mean the ſupport of our preſent happy conſtitution in church and ſtate, and ſuch as wiſh to ſubvert both; this is the only diſtinction that ought to prevail in this country, where the intereſt of king and people is one and the ſame, and where they cannot ſubſiſt, but by being ſo: if religion, liberty, and property, were never at any time more fully enjoyed without not only an attempt, but even the ſhadow of a deſign, to alter or invade them, let not theſe ſacred names be made uſe of as artful and plauſible pretences to undermine the preſent eſtabliſhment, under which alone they can be ſafe." The king ends the ſeſſion with a ſpeech.

"I have nothing to wiſh, but that my people may not be miſguided: I appeal to their own conſciences for my conduct; and hope the providence of God will direct them in the choice of ſuch repreſentatives, as are moſt fit to be truſted with the care and preſervation of the proteſtant religion, the preſent eſtabliſhment, and all the religious and civil rights of Great Britain."

The parliament was no ſooner diſſolved, than the whole nation was in a ferment about chuſing a new one; which, notwithſtanding all the arts of the oppoſition, went greatly in favour of the court. But the great object of the nation Elections through the nation go for the court.

Geo. II. 1734. at this time was, the election of the Scotch peers. It had been always a cuſtom for thoſe who were intruſted by his majeſty with the affairs of that kingdom, to draw out a liſt of peers, proper to be the repreſentatives of the whole body in the Britiſh parliament. Thoſe liſts were generally handed about, and the peers named in them, were well known; therefore, it was natural to ſuppoſe, that all who thought themſelves intitled to the ſame preference, ſhould oppoſe the miniſterial liſt. Some Scotch noblemen of great rank, fortunes and characters, happened then to be out of humour with the miniſter, and conſequently they oppoſed his liſt; but as a great majority of the Scotch peers ſupported it, it was in vain for the lords in the oppoſition to think of ſucceeding by numbers. The miniſterial liſt this year contained the dukes of Athol and Buccleugh, the marquis of Lothian, the earls of Crawford, Sutherland, Morton, Loudon, Finlater, Selkirk, Belcarras, Dunmore, Orkney, Portmore, Hopeton, Illay, and lord Cathcart.

Account of the elections of the Scotch peers.

The election was to be at the borough-room in Edinburgh, and about the diſtance of an Engliſh meaſured mile, in the court-yard of the palace of Holyrood-houſe, a battalion of foot was drawn up. This was a very idle precaution, but was meant to prevent any tumults, ſome being apprehended from the diſpoſition of the populace, and the importance of the occaſion. It was, however, improved by the antiminiſterial party into a kind of overawing the election. Therefore, the earl of Stair, with 16 other peers, before they proceeded to buſineſs, entered a formal proteſt on that account againſt all the proceedings that might happen.

Beſides the liſt we have already given, another was propoſed, containing the dukes of Hamilton, Montroſe, Queenſberry, Roxburgh, marquis of Tweedale, earl of Stair, earl of Marchmont, Rothes, Haddington, Caithneſs, Buchan, Aberdeen, Dondonald, Strathmore, Glaſgow, and lord Elphinſtone. But when both liſts came to be voted for, the crown-liſt was carried by a great majority. The duke of Hamilton, however, before he gave his vote, entered a general proteſt againſt the electing the 16 peers upon the court-liſt; all whom he particularly named in his proteſt, which was founded upon his having ſtrong grounds to believe, "that the peers, who were to vote at the election, had not all of them been left at liberty to make a free choice of ſuch peers, as they ſhould judge moſt proper to repreſent the peerage of Scotland. But that a liſt of 16 peers had been named by the miniſter, and ſent down by his agent, to be choſen, and

Proteſt of the duke of Hamilton and other peers.

that

that undue influence had been uſed with many of the peers of Scotland, to vote for the ſaid liſt; therefore, continues the proteſt, that in caſe it ſhall appear in the courſe of this election, that the liſt voted, is, and hath been, a liſt ſo named by the miniſter; and that undue means have been uſed to induce the peers, who are to vote at this election, or any number of them, to vote for ſuch liſt, by promiſe or grant of place, penſion or reward, to themſelves, or their near relations, or by threatenings of being removed from offices, or of any other kind whatever; that ſuch election ſhall be held as illegal, contrary to the freedom of elections, and therefore void. And I do hereby proteſt, that I ſhall be at liberty farther to diſſent from ſuch election, if made, and to renew my proteſt, and to offer my reaſons and objections againſt the ſame in a more particular manner." Geo. II. 1734.

Sign'd,

Hamilton, Queenſberry, Montroſe, Roxburgh, Tweedale, Rothes, Buchan, Strathmore, Haddington, Kincardine, Aberdeen, Dundonald, Marchmont, Stair, Glaſgow, Roſberrie, Salton, Elphinſtone, Napier, Blantyre.

To this proteſt was added a ſingle declaration, by the lord Elphinſtone, in the following remarkable words.

"I Charles lord Elphinſtone do hereby adhere to the proteſt entered by his grace the duke of Hamilton, concerning undue influence uſed by people in power for this election of 16 peers, to ſit and vote in the enſuing parliament. And I do it for this reaſon, that they have attempted ſuch undue influences upon myſelf, which attempts I withſtood, and rejected their offers." At Edinburgh, the 4th day of June, 1734, at the election of the 16 peers aforeſaid.

Elphinſtone.

A like declaration was made by the earl of Roſberrie, a perſon notoriouſly infamous in his character, and unſound in his mind. The election being over, the duke of Queenſberry entered the following proteſt, which was ſubſcribed by the ſame peers, who had ſign'd that of the duke of Hamilton.

Duke of Queenſberry and other peers proteſt.

"In my own name, and in the name of ſuch of the peers of Scotland, as ſhall adhere to me, I do proteſt that the pretended election of his grace the duke of Athol, his grace the duke of Buccleugh, &c. to repreſent the peerage of Scotland, is void and null, for theſe, among other reaſons:

"That it appears, from the ſeveral circumſtances, which have preceded and attended this election, that this liſt hath been named by the miniſter, and ſent down by his agent,

Geo. II. 1734. without regard to the real opinion and ſentiments of the peers, and that ſeveral of them have been tied down either to give their votes for this liſt, or to incur the diſpleaſure of the miniſter.

"That for many months paſt, very undue influence hath been uſed (as I have ground to believe from what hath already paſſed at this meeting, and hope in proper time to make farther appear) with many of the peers of Scotland, to engage or intimidate them to vote for this liſt, at leaſt ſuch liſt as ſhould be put into their hands, by promiſe or grant of money, places, penſions, or preferments civil or military to themſelves, or their near relations; or by threatnings, equally inconſiſtent with the freedom of elections.

"That I am rather induced to believe that ſuch undue influence hath been uſed, becauſe of the many notorious inſtances that have occurred of undue practices, with reſpect to the elections of the commoners, by promiſe or grant of places, civil or military, and offers of grants of great ſums of money to influence voters both in counties and boroughs, ſuch as hath not been heard of at any time before, by known agents of the miniſter, and liberties that have been taken by returning officers, in open violation of the laws; the conſequences of which muſt be too plain, as tending entirely to the deſtruction of the freedom of elections, the ruin of our conſtitution, the ſapping the very foundation of parliaments, and rendering them entirely dependent not only upon the crown, but every aſſuming miniſter.

"For theſe reaſons I do proteſt, that the preſent pretended election of the aforeſaid ſixteen peers, to wit, his grace the duke of Athol, his grace the duke of Buccleugh, &c. is void; and that the election of ſuch ſixteen peers as have the greater number of votes, ſetting aſide the above liſt named by the miniſter, is the only fair and free election, and they alone are intitled to repreſent the peerage of Scotland in the enſuing parliament: and I do proteſt, for my part, that I have given my vote for the liſt, for which I have voted in conſequence of my free choice, without any undue influence uſed from me; and that I have endeavoured to uſe no undue influence upon any peer whatſoever to concur with me in that choice: and require you, Mr. James Juſtice and Mr. John Murray, clerks of ſeſſion officiating at the ſaid election, to extract from the minutes of election, and deliver to me a certificate of ſuch ſixteen peers as have the greateſt number of votes, ſetting aſide the above liſt named by the miniſter." Signed, Queenſberry, &c. as in the preceding proteſt.

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When the earl of Kincardine ſigned this proteſt, he reſerved to himſelf a power of making any farther declarations of matters within his own knowledge, when called upon by any proper court or authority. Geo. II. 1734.

The liſt on which the minority fell was as follows, viz. dukes of Hamilton, Montroſe, Queenſberry, Roxburgh, marquiſs of Tweedale, earls of Stair, Marchmont, Rothes, Haddington, Caithneſs, Buchan, Aberdeen, Dondonald, Strathmore, Glaſgow, and lord Elphinſtone.

What farther conſequences this affair had, ſhall be ſeen in its proper place; but it is now time to attend foreign matters. Foreign affairs.

The election of Staniſlaus to the crown of Poland, proved but a ſhort gleam of hope to that prince. The Ruſſian army advanced with rapidity on one ſide, as the Saxons did on the other ſide, of Poland, in favour of king Auguſtus, till at laſt Staniſlaus was obliged to retire to Dantzick, which had declared, that it would ſtand by him to the laſt extremity. This gave the party of king Auguſtus leiſure to proceed to a new election; and on the 17th of January that prince was crowned at Cracow with the uſual ſolemnity, while the Ruſſian general, after poſſeſſing himſelf of Thorn, advanced againſt Dantzick, and made himſelf maſter of ſome of the moſt important poſts in its neighbourhood. The Dantzickers at firſt put on an air of reſolution; but finding the town untenable, and Staniſlaus perceiving that his preſence muſt expoſe them to the greateſt calamities, he formed a ſecret reſolution of retiring. Both he and the inhabitants, however, had great expectations from the aſſiſtance promiſed them by France, and were in hopes that the king of Pruſſia would declare in their favour. But they were diſappointed in all: for though ſome French troops did arrive to their aſſiſtance, they could not prevent a great part of Dantzick being reduced to aſhes by the Ruſſian artillery. All that his Pruſſian majeſty could do was to make ſome faint offers of mediation with the Czarina, which were rejected. The French ſuccours were no more than 3000; and having made a fruitleſs attempt againſt the Ruſſians, king Staniſlaus ſeeing his affairs deſperate, made his eſcape in a wonderful manner out of Dantzick, which was compelled immediately to admit the Ruſſian troops and recognize the right of king Auguſtus, together with all the Poliſh noblemen who were there, and who had followed the fortune of king Staniſlaus. Of Poland. Dantzick ruined, and forced to acknowledge king Auguſtus.

In Germany the French met with great ſucceſs, but received an irreparable loſs by the death of the marſhal duke de Berwick, who was killed in the trenches which he had opened before War in Germany. Death of the duke of Berwick.

Geo. II. 1734. before Philipſburgh upon the 26th of April. The great prince Eugene arrived on the Rhine, to take upon him the command of the Imperial army there; but he found matters in ſuch diſorder, that he could only act upon the defenſive againſt marſhal d'Aſfeldt, who ſucceeded the duke de Berwick in the command of the French army, and obliged Philipſburgh at laſt to ſurrender; while prince Eugene found himſelf ſo far inferior to the French in numbers, that he could give it no relief. But this was the principal event of the war upon the Rhine this year; for ſoon after both armies broke up, and went into winter quarters.

Bloody war in Italy.

But in Italy, the campaign was hot and bloody. The French, after taking the caſtle of Milan, and reducing many other forts, entered the Modeneze, while don Carlos, at the head of his own and his father's forces, took poſſeſſion of Naples, of which his Catholic majeſty declared him king, and laid ſiege to Gaeta and Capua. The Imperialiſts in Italy were commanded by count Merci, a brave but raſh general. The Spaniards were commanded by the count de Montimar, a general likewiſe of great abilities, who gained many advantages over the Imperialiſts, particularly at Bitonto, where he routed them with great ſlaughter. On the

Battle of Bitonto and Parma.

29th of June was fought the battle of Parma, in which the count de Merci obſtinately attacking the French, was himſelf killed, with ſeveral general officers and ſome thouſands of the Imperialiſts, who were obliged to retire in great diſorder. The loſs of the French, who were commanded by marſhal de Coigny, was little inferior, and the prince of Wurtenburgh, upon the death of Merci, took upon him the command of the Imperialiſts. This battle was followed by the ſurrender of the ſtrong fortreſs of Gaeta to don Carlos. The Imperialiſts, however, towards the cloſe of the campaign, ſurprized marſhal de Broglio, a French general, who loſt about 2000 of his men, killed or taken priſoners. But both ſides claimed the honour of the victory; nor was there ever a war carried on with more bloodſhed than that in Italy this year between the Imperialiſts and the allies, the kings of Spain, France and Sardinia. It was owing to the laſt that affairs went ſo proſperouſly this year for the allies in Italy. The French court had appointed the marſhal de Villars to command the troops in Italy. That general had outlived all his great qualities but his enterprizing courage; and his Sardinian majeſty had the addreſs to get him recalled, and the marſhals Broglio and Coigni ſent in his room, without giving umbrage either to him or his court.

After

After this, the moſt proſperous events of the war for the allies were planned by the king of Sardinia; and all the kingdom of Naples ſubmitting to don Carlos, he prepared, towards the end of the campaign, to attack Sicily, where ſome Spaniſh troops had already landed. Notwithſtanding this, while all Europe imagined that both armies were about going into winter quarters, the Imperial court ſent orders to their generals, Konigſegg and Wallis, to keep the field, which they did with 40,000 men, and obtained ſeveral advantages over the allies, who muſt have been totally ruined had it not been for the wiſdom and courage of the king of Sardinia, who obliged them to retreat again beyond the Po and the Oglio. Geo. II. 1734. Great capacity of his Sardinian majeſty. Don Carlos prepares to attack Sicily.

In the mean while, Great Britain was enjoying all the comforts of protected commerce and a reſpectable neutrality. The ſtate of affairs in the reſt of Europe, notwithſtanding all the clamour at home, gave her great dignity in the eyes of all nations and potentates. In the beginning of this year, her fleet conſiſted of about fifty ſhips of the line of battle, with a proportion of frigates and ſmall ſhips, all at ſea, or ready to put to ſea, and commanded by ſir John Norris, one of the ableſt, though not of the moſt ſucceſsful, admirals that ever England had. The great confidence which the parliament had repoſed in his majeſty, added to the figure which England then made; and the ſtates of Holland having come to a reſolution to augment their forces by ſea and land, the Hague became the ſeat of negotiation, where all parties ſubmitted their intereſts to the deciſion of his Britannic majeſty. The obſtinacy of the Imperial court, rendered thoſe intereſts for a long time incompatible. But about the beginning of October, ſome hints of accommodation began to perſpire. One was, that the duke of Lorrain ſhould marry the emperor's daughter, which accordingly took place: but ſoon after matters begun to wear a more favourable aſpect, and the hopes of a negotiation were ſo far advanced, that the following paper was communicated by the neutral powers to the French and Imperial ambaſſadors by way of trial. State of Britain. Sir John Norris commands the fleet. Negotiations for peace.

"Whether the emperor and France would be content that don Carlos remain king of Naples and Sicily, on condition of giving the houſe of Auſtria, Parma, and Placentia, with a part of Milan and the ſucceſſion to Tuſcany, as an equivalent?

"Whether king Staniſlaus, preſerving his regal titles, will be ſatisfied to be made duke of Lorrain, and that dutchy erected into an electorate? The duke of Lorrain to marry the eldeſt

Geo. II. 1734. eldeſt archduchefs, to be declared king of the Romans, and to have Parma and Placentia immediately, and Tuſcany after the death of the great duke? Or in caſe this ſecond article is rejected, whether Poland ſhall not be divided between Staniſlaus and Auguſtus, the longeſt liver to take the whole?"

No deciſive reſolution being this year taken upon thoſe points, it is proper we now attend domeſtic occurrences.

Armaments in England. Early in the ſpring, a fleet of twenty ſail of the line were in the Downs, and eight regiments were ordered over from Ireland to England. It is certain, that theſe precautions this year preſerved the public tranquillity in England. The king of Sardinia was the only power of the allies who was ſincere in his profeſſions of friendſhip for Great Britain. Though the prime miniſter of Spain, who was lately dead, had, upon his death-bed, recommended to his maſter the continuance of a peace with England as the moſt valuable legacy he could leave him, yet the bigotry of that court paid but very little regard to his advice. The eldeſt ſon of the pretender was ſuffered to ſerve with particular marks of diſtinction in the army of don Carlos, who gave no obſcure hints that he would, whenever it was in his power, favour the pretenſions of his family. The French, about the ſame time, publiſhed a ſevere edict to compell all Britiſh ſubjects either to leave that kingdom, or inliſt in their armies. The earl of Walgrave, the Britiſh miniſter, preſented a memorial on that head to the French court; who explained themſelves by ſaying, that they meant that their edict ſhould take place, only againſt Britiſh and Iriſh vagabonds, and thoſe who have no viſible means of ſubſiſtance or ſettled place of abode.

The pretender's eldeſt ſon ſerves under don Carlos.

Treaty with Ruſſia. In June this year, the lord Forbes waited upon his majeſty at Kenſington from Ruſſia, where a treaty of commerce had been concluded with the Czarina greatly to the advantage of the Britiſh nation, and he had been honoured by her with particular marks of eſteem and confidence.

Parliament meets, and is prorogued. On the 13th of June, the day appointed by proclamation for the writs for members of the new parliament to be returnable, many members of the houſe of commons attended at the houſe of peers, where by his majeſty's command a writ was read for proroguing the parliament to the 16th of July, and from thence, by various prorogations, it was prorogued to the 14th of January, 1735, when they ſat for the diſpatch of buſineſs.

The houſe of commons being ſent for to the houſe of peers, was, by the lord chancellor, in the king's name, ordered to return to the houſe and chooſe a ſpeaker, which choice

choice fell upon the right honourable Arthur Onſlow at the motion of Mr. Herbert, ſeconded by the honourable James Cholmondley, member for Camelford, in two ſpeeches, which were modeſtly anſwered by the ſpeaker elect, declining the great honour. He was, however, over-ruled by the unanimous ſenſe of the houſe; and on the 23d of January he was preſented in the houſe of peers, and approved of by his majeſty, who granted him all the uſual requeſts in favour of the rights and privileges of the houſe of commons. Geo. II. 1734-5. Mr. Onſlow choſen ſpeaker of the commons.

Some days were ſpent in qualifying the members, and on the 27th of January the parliament was opened by a ſpeech from his majeſty on the throne. In that he informed them, "that having undertaken, in concert with the States-General, to mediate between the powers at war, he had had ſo good ſucceſs, that a plan would ſpeedily be offered to the conſideration of all the parties engaged in the war, as a baſis for a general negotiation of peace. He likewiſe informed them, that he had concluded a treaty with the crown of Denmark, of great importance in the preſent conjuncture, which being attended with expence, he would order to be laid before the houſe of commons. At the ſame time he put them in mind, that while a war was raging in Europe, it would be proper, in all events, for Great Britain (though it might be attended with ſome expence) to keep herſelf in a poſture of defence." King's ſpeech.

When the commons returned to their houſe, a motion was made, and the queſtion being propoſed, That an humble addreſs be preſented to his majeſty, to return his majeſty the thanks of this houſe for his moſt gracious ſpeech from the throne; to acknowledge his majeſty's wiſdom and goodneſs in purſuing ſuch meaſures as tended towards procuring peace and accommodation, rather than to involve this nation, and all Europe, too precipitately in a general and bloody war; to expreſs the juſt ſenſe this houſe hath of his majeſty's tender regard for the public repoſe and tranquillity, and of his unwearied endeavours in forming, in concert with the States-General, ſuch a plan of a general pacification, as his majeſty, in his great wiſdom, conceives is conſiſtent with the honour and intereſt of all parties, as far as the circumſtances of time, and the preſent poſture of affairs, will permit; to aſſure his majeſty, that this houſe will chearfully and effectually raiſe ſuch ſupplies as ſhall be neceſſary for the honour and ſecurity of his majeſty and his kingdoms; and whatever ſhall be the ſucceſs of his majeſty's gracious endeavours to procure the bleſſings of peace and general tranquillity, will Motion upon it. Debate upon the addreſs.

enable

Geo. II. 1734-5. enable his majeſty to act that part which honour and juſtice, and the true intereſt of his people, ſhall call upon him to undertake.

Amendment propoſed, An amendment was propoſed to be made to the queſtion, by adding at the end thereof theſe words, "ſo ſoon as the proper information of the ſtate of the public affairs ſhall be communicated to this houſe, and in proportion to ſuch efforts as ſhall be made by ſuch of the allies who are under the ſame engagements as this nation, and who are not involved in the war."

debated, An amendment was propoſed to be made to this amendment, by leaving out theſe words, "ſo ſoon as the proper information of the ſtate of the public affairs ſhall be communicated to this houſe." Thoſe amendments to the motion for the addreſs, which was made by Mr. Hedges, member for Fowey in Cornwall, occaſioned a long debate, in which the chief ſpeakers on both ſides were engaged. The reader, from what has been already related of debates of this kind, will eaſily perceive upon what this debate turned. On the one ſide, there was great diſtruſt and diffidence of the miniſter's meaſures ſince the laſt parliament, and great fears leſt their agreeing to the addreſs, notwithſtanding the generality and caution of its terms, ſhould be conſtrued into an approbation of all that had been done. Great freedoms were taken with the conduct of the adminiſtration, in putting the nation to ſuch immenſe expences as it had been at in arming both by ſea and land, without doing any thing that was effectual. It was thought ridiculous to thank his majeſty for not precipitating the nation into a war; and it was obſerved, that notwithſtanding the Dutch had ſo much at ſtake, they had not put themſelves to a ſhilling expence during the critical ſituation of Europe.

It was argued on the other hand, that the tranquillity of the nation was owing to its being in a poſture either of offence or defence, as occaſions, which were impoſſible to be foreſeen, ſhould require: that the increaſe and ſecurity of the trade of England, was more than ſufficient to counterballance all the charges ſhe had been at, which had been all expended within herſelf; and that neither his majeſty, nor his miniſters, had ever behaved in ſuch a manner as that they ſhould be treated by the houſe with any marks of diſtruſt in an addreſs which at beſt is a mere matter of compliment. That thanking his majeſty for not precipitating the nation into a war, was no other than thanking him for his caution and prudence. As to the Dutch, they were beſt judges of their

their own affairs, and their conduct ought to be no rule to Great Britain; but that, though they had not augmented their land-forces, it is certain that they had ſuſpended a very large reduction of them, which they had intended to have made when the troubles of Europe broke out. It was farther obſerved in ſupport of the firſt motion for the addreſs, that the conduct of his majeſty in concerting with the Dutch the general plan of pacification, was intirely agreeable to the maxims by which the ballance of power in Europe was to be maintained. Geo. II. 1734-5.

Many well-wiſhers to the anti-miniſterial party, thought that they acted impoliticly in trying their ſtrength upon ſo weak a head as the oppoſing an addreſs worded with ſo much modeſty. It was moved in two queſtions to reject the amendment; and upon the ſecond queſtion, the houſe dividing, the ſame was rejected by a majority of 265 againſt 185, a greater minority than had been ſeen for many years in that houſe. is loſt upon a diviſion.

A like debate, and upon the ſame principles, happened in the houſe of peers, where the queſtion was more amply canvaſſed. A very loyal addreſs had been moved for by the duke of Devonſhire, but oppoſed. It was obſerved, that the laſt treaty of Vienna, by which Great Britain guarantied the pragmatic ſanction, not having been laid before the houſe, it was impoſſible for their lordſhips to form any judgment of the ſtate of affairs in Europe ſo as to addreſs his majeſty with their thanks for not engaging in the war. It was ſaid, that the Dutch had not acted in concert with us, but had, without our knowledge, obtained a neutrality from the French. It was therefore moved by the lords in the oppoſition, to return his majeſty their unfeigned thanks for his moſt gracious ſpeech from the throne; and to acknowledge the felicity they enjoyed in his majeſty's having always eſteemed the intereſt of ſovereign and ſubject as mutual and inſeparable, and having made the due execution and obſervance of the laws the rule of his government; and to aſſure his majeſty, that they were determined to convince the world, by a ſteady courſe of loyalty, that they conſidered the maintenance of their religion and liberties as being involved in the ſupport of his majeſty's perſon and government, and in the preſervation of the proteſtant ſucceſſion in his royal houſe; and that it was their unalterable purpoſe to tranſmit theſe invaluable bleſſings to poſterity. The duke of Newcaſtle and the lord Hardwick were the principal ſpeakers againſt this motion; they proved, with great ſucceſs, that the guaranty of the pragmatic ſanction, into which Great Britain was entered, was in itſelf Debate in the houſe of peers. Duke of Newcaſtle. Lord Hardwick.

Geo. II. 1734-5.

itſelf a wiſe and neceſſary meaſure, independent of all other conſiderations; and that it repaired all inconveniencies which might have reſulted to Great Britain from other engagements. It was obſerved, that Spain undoubtedly had ambitious views, which had been checked by the wiſdom and firmneſs of his majeſty's conduct: that no lord could take upon him to ſay, that the Dutch had not communicated to the court of England their treaty of neutrality with France; but that the treaty was only for their barrier, the attacking of which, by the French, was the only thing that could bring England into the war upon the continent; and that therefore, it was a wiſe meaſure, and however it was obtained, beneficial to Great Britain.

Treaty with Denmark.

Some lords in the oppoſition were very ſevere upon the treaty with Denmark, and ſuppoſed beforehand, that a ſubſidy was to be paid, in conſequence of it, by England to Denmark, which, they thought, was hard, as his Daniſh majeſty was as much engaged as any power in Europe, in maintaining the publick tranquillity, and the indiviſibility of the Auſtrian ſucceſſion. To this it was anſwered, that no mention ought to be made of that treaty, till it was regularly laid before the parliament. The other parts of the debate were pretty much the ſame as had paſſed in the houſe of commons.

Addreſs carried. Diviſion.

Upon a diviſion, the addreſs propoſed by the court was carried, and that propoſed by the oppoſition, thrown out, by a majority of 89 againſt 37.

The firſt days of the ſeſſion in the houſe of commons were ſpent chiefly in receiving petitions upon controverted elections; and it was the 3d of February before the houſe went into the committee of ſupply, and ordered the proper papers and eſtimates to be laid before them. Next day, the houſe came to the following reſolution: "That in the petition of any elector or electors, for any county, city, or place, ſending members to parliament, complaining of an undue election and return, and alledging that ſome other perſon was duly elected, and ought to have been returned, the ſitting member ſo complained of, might demand and examine into the qualifications of ſuch perſon, ſo alledged to be duly elected, in the ſame manner as if ſuch perſon had himſelf petitioned." This reſolution at the ſame time was declared a ſtanding order of the houſe.

Standing order of the commons.

Debate upon ſeamen.

On the 7th of February, in a committee of ſupply, a motion was made, that 30,000 men ſhould be employed for ſea-ſervice, for the year 1735: this motion produced a debate,

bate. It was objected, that 20,000 men were ſufficient, being the number kept up laſt year. In the courſe of this debate, the ſame arguments we have already ſeen, were retailed againſt the miniſtry. It was particularly ſaid, "that the unneceſſary naval armaments of Great Britain laſt year, occaſioned the ruin of Dantzick, becauſe it prevented the French fleet from ſailing time enough to relieve it." Sir William Wyndham, who generally had his information from lord Bolingbroke, maintained, "that the Spaniards looking upon the Engliſh fleet then fitted out, to be deſigned to act againſt them in the Mediterranean, had obliged the French miniſtry to keep their fleet at Breſt, inſtead of ſailing to Dantzick, till they could ſee what the intention of the Engliſh armament was." To this it was anſwered, "That gentlemen were greatly miſtaken, if they imagined France to have ever been ſerious in their deſign, either to relieve Dantzick, or to aſſiſt Staniſlaus to mount the throne of Poland. That it was true, laſt year they fitted out a fleet, under pretext of relieving Dantzick; that it was publickly given out; that that was its deſtination, and it was believed, that the houſe at that time imagined ſo; notwithſtanding which, it is certain, the French fleet was not only detained at Breſt all ſummer, but orders were given by the courts of Verſailles and Madrid, for making all the naval armaments in all their ports, that poſſibly could be equipped; that theſe orders had obliged his majeſty to take 7000 more ſeamen than the 20,000 that were voted laſt year into his pay, and which, very probably, defeated the real deſigns which the French and Spaniards had againſt this kingdom, in their extraordinary armaments. That both thoſe powers, far from relaxing in, were ſtrengthening their marine to the utmoſt; ſo that the addition of 7000 men to the marine of Great Britain, was but reaſonable. It was likewiſe very juſtly obſerved, that in a free country, like Great Britain, there was no regiſter for ſeamen, by which a fleet might be inſtantly manned, and that the Engliſh government, upon any ſudden emergency, had no recourſe but to preſſing, a moſt diſagreeable expedient, in a country of liberty." The queſtion, after this and a great deal more had paſſed to the ſame purpoſe, being put, upon 20,000 men, it was carried in the negative; and the queſtion being put upon 30,000 men; it was carried in the affirmative. After this reſolution, the houſe reſolved to grant, as uſual, 4 l. a man, for the 30,000 ſeamen, the office of ordnance being included.

Geo. II. 1734-5.

Sir William Wyndham.

30,000 ſeamen voted.

Geo. II. 1734-5.

On the 13th of February a motion was made, that an humble addreſs be preſented to his majeſty, "That he will be graciouſly pleaſed to give directions to the proper officer or officers, to lay before this houſe an account of expences incurred by augmenting his majeſty's land and ſea-forces, and in concerting ſuch other meaſures, as the exigency of his majeſty's affairs have required, diſtinguiſhing what part thereof has been paid for, before the 10th day of this inſtant February, and out of what money the ſame has been paid."

Motion about expences incurred.

Diſmiſſed; and why.

Nothing could be more abſurd than this motion. The money that had been raiſed, in conſequence of the vote of credit, had been applied to the three branches of national buſineſs. The firſt was, the augmentation of the marine; the ſecond, that of the army; and the third, that of the expence incurred by the treaty with Denmark. The accounts of all which lay then before the houſe, at their own requeſt, and liable to the inſpection of every member. To ſuppoſe more to have been expended than thoſe accounts contained, was unparliamentary, and there could be no end of motions of that kind, unleſs the crown ſhould certify, with every account that that was the ſum, and the whole ſum, expended. Notwithſtanding this anſwer, which was clear, and ought to have been ſatisfactory, the gentlemen in the oppoſition were impreſſed, or affected to be impreſſed, with a notion, that a great deal more had been expended, than was contained in the papers before the houſe. An amendment was propoſed to be made to the queſtion, by leaving out the words, "diſtinguiſhing what part thereof has been paid for, before the 10th of this inſtant February, and out of what money the ſame has been paid." And the queſtion being put, that thoſe words ſtand part of the queſtion, it paſſed in the negative.

Amendments propoſed to the motion.

Another amendment being propoſed to be made to the queſtion, by adding at the end thereof theſe words, "over and above thoſe, of which accounts have been laid before this houſe."

The clauſe of an act, made in the laſt ſeſſion of the laſt parliament, intitled, "An act for enabling his majeſty to apply the ſum of one million, two hundred thouſand pounds, out of the ſinking fund, for the ſervice of the year 1734; and for appropriating the ſupplies granted in this ſeſſion of parliament," which clauſe related to the augmentation of his majeſty's forces by ſea and land, was read.

And the titles of the accounts and eſtimates, preſented to the houſe in this ſeſſion, which relate to the ſaid augmentation, were alſo read.

Then

Then the queſtion being put, that theſe words, "over and above thoſe, of which accounts have been laid before this houſe," be added to the queſtion, the whole debate appeared to be ſo frivolous, that the amendment being thrown out, by a majority of 167 againſt 109, Mr. Pelham made a motion for adjourning the houſe, without putting the main queſtion, which was accordingly agreed to, the ſpeaker giving his opinion, that it might regularly be done, becauſe it was paſt four in the afternoon. Geo. II. 1734-5. Diviſion on the ſame.

But the eyes of all England, and indeed of great part of Europe, were now fixed upon the proceedings of the houſe of peers, with regard to the election of the Scots peers. The reader has already ſeen the manner in which that election was conducted, and the proteſts thereupon. Some of the peers and their families then in the oppoſition, had been ever diſtinguiſhed, even in the worſt of times, by their attachment to the proteſtant ſucceſſion in the houſe of Hanover, and ſome of them, particularly the earl of Stair, was repreſented as a kind of confeſſor in that cauſe. Proceedings in the houſe of peers.

He was a nobleman of a moſt graceful, elegant, perſon; his courage was unqueſtionable; and though, perhaps, he had his equals as a general, it was acknowledged by all parties, he had none as an ambaſſador. The diſappointment of the rebellion of 1715 in Scotland, was chiefly owing to the meaſures he had formed with the duke of Orleans, afterwards regent of France, while he was ambaſſador at the French court. Lewis the XIVth was then on the brink of the grave, and made no ſecret that he hated Stair, though he gave no other reaſon for it, than his attachment to the houſe of Hanover. The earl of Stair knew this; but he knew, at the ſame time, that Lewis was then unable to get either ſtateſmen or generals to carry into execution the plans he had formed in favour of the pretender. His lordſhip availed himſelf of this knowledge, and employed both his money and credit ſo well, that nothing was tranſacted, even in the French king's moſt retired cabinet, that the earl of Stair was a ſtranger to. But notwithſtanding all his great abilities, in his military and miniſterial capacity, his lordſhip had weakneſſes. Conſcious of the great ſervices he had done to the houſe of Hanover, he put it out of his ſovereign's power to repay them, becauſe he overrated them. And therefore, when he was unreaſonably diſguſted, the public was too apt to conclude, that he was unjuſtly diſgraced. He was an haukward ſpeaker, but was not unhappy in writing; and his turn for extravagance, brought Character of the earl of Stair.

Geo. II. 1734-5. him under obligations, which a man of his ſpirit ought to have diſdained.

His character in life, however, notwithſtanding the lowneſs of his fortune, was at this time very high, and his connections with the remains of the old Marlborough intereſt, were very ſtrong. It was publickly known, that all the complaints ſo induſtriouſly ſpread, about the election of the Scotch peers, were levelled equally againſt the miniſter and the earl of Ilay, who was looked upon to be the chief director of Scotch affairs.

and of the earl of Ilay.

The earl of Ilay was, by birth, an Engliſhman, and reſided in England till he was about ſeventeen years of age. It is hard to ſay, whether his application to buſineſs, or his abilities for it, were ſuperior. When young, he ſtudied as hard as if he had been (which indeed was partly the caſe) to get his livelihood by his learning, and made a progreſs in the civil law, ſuperior to that of many of its profeſſors. Though it is natural to believe, that he was born with an averſion to the houſe of Steuart, by whom he had loſt his great grandfather and grandfather, yet ſo far from manifeſting that averſion, either unjuſtly or indecently, all the uſe he made of his power, in that reſpect, was to gain over to the government, as many of the deluded followers of that houſe, as he poſſibly could; and to his wiſe moderation it was owing, that in Scotland, few, beſides men of deſperate fortunes, were then avowed jacobites. He united, if ever man did, the characters of a philoſopher and a politician. For, notwithſtanding the torrents of unſupported perſonal abuſe, poured forth againſt him in public, he never was known to revenge his own quarrel, or to deſiſt from his own plan. The purſuit of power in him never diverted him from that of knowledge; of which he had a greater variety, than, perhaps, any man of his age. He deſpiſed money, even to a fault, and the larger his eſtate was, the ſmaller was his income, for he expended it before it came to his hands; in the encouragement and quickening of national induſtry and the promoting publick improvements. Nothing more ſhall be here ſaid of this great man; and nothing has been ſaid, that his greateſt enemies have not, at times, confeſſed.

Petition from the Scotch peers preſented in the houſe of lords.

February 13th, the duke of Bedford preſented to the houſe of peers the following petition, in behalf of James duke of Hamilton and Brandon, Charles duke of Queenſberry and Dover, James duke of Montroſe, Thomas earl of Dundonald, Alexander earl of Marchmont, John earl of Stair.

"That

"That at the late election of ſixteen peers, to ſerve in this preſent parliament, for that part of Great Britain, called Scotland, a majority of votes was obtained for the duke of Buccleugh, the duke of Athol, the marquis of Lothian, the earl of Crawford, the earl of Sutherland, the earl of Morton, the earl of Loudon, the earl of Finlater, the earl of Selkirk, the earl of Belcarras, the earl of Dunmore, the earl of Orkney, the earl of Portmore, the earl of Hoptoun, the earl of Ilay, the lord Cathcart; and they were accordingly returned." Geo. II. 1734-5.

"Your petitioners, however, conceive it their duty to repreſent to your lordſhips, that ſeveral undue methods and illegal practices were uſed towards carrying on this election, and towards engaging peers to vote for a liſt of peers, to repreſent the peerage of Scotland, ſuch as are inconſiſtent with the freedom of parliament, diſhonourable to the peerage, contrary to the deſign and intention of thoſe laws, that direct the election of the ſixteen peers for that part of Great Britain called Scotland, and ſuch as may prove ſubverſive of our happy conſtitution; inſtances and proofs whereof, we are ready to lay before your lordſhips, in ſuch manner, as your lordſhips ſhall direct."

"Wherefore, your petitioners humbly pray, that your lordſhips will be pleaſed to take this important affair into your moſt ſerious conſideration, to allow theſe inſtances and proofs to be laid down, and to do therein, as in your great wiſdom ſhall ſeem moſt proper, to maintain the dignity of the peerage, the freedom of the elections of peers for that part of Great Britain called Scotland, and to preſerve the conſtitution and independency of parliaments."

This petition was followed by a motion, made by the duke of Bedford, and ſeconded by the duke of Marlborough, "That it ſhould be taken into conſideration by the houſe on that day month." Motion upon it.

It muſt be acknowledged, this petition was of a very extraordinary nature; for it had a tendency to vacate the ſeats of all the ſixteen peers of Scotland. Therefore, as the duke of Newcaſtle very properly obſerved, it was extremely doubtful, whether the houſe had even a power of receiving ſuch a petition. Nothing in the articles of the union gave a Britiſh houſe of lords a right to interfere in the election of the Scotch peers; nor indeed had they any ſuch right, unleſs ſome particular charge was ſtated, and offered to be proved. The allegations of the petition were general, no perſon being named; and it was very doubtful, if the prayer of the petition Debate upon the ſame. Againſt.

Geo. II. 1734-5.

tition was granted, where it might end; or whether the peers had a right to controul the crown in the exerciſe of its favour to any of their brother-peers, which was all that poſſibly could be proved, had the prayer of the petition been granted.

and for it.

On the other hand, the facts, contained in the allegations, were of a very bad complexion; and no lord pretended to ſay, that they ought not to be puniſhed, if they were proved.

Debate reſumed.

The duke of Newcaſtle thought, that a ſhort day ſhould be appointed for taking it into conſideration, and mentioned that day ſe'nnight, which was fixed. Accordingly, February 20th, the houſe proceeded to take it into conſideration. They who were againſt the petition, urged, that the houſe, proceeding in their judicial capacity, ſhould comply with the ordinary rules of evidence, which were to give the accuſed, as well as the accuſers, a fair hearing, and to particularize the facts and crimes upon which they were impeached, indulging them at the ſame time with an opportunity of bringing exculpatory proofs for clearing themſelves. It was therefore inſiſted upon, that if the houſe reſolved to proceed upon the petition, the petitioners ſhould be obliged to ſpecify facts and perſons.

The friends of the petition, on the other hand, ſaid, "the petition was general, and ought to be ſo; that its allegations contained matters, of the higheſt importance to the honour and dignity of that houſe, to come at the bottom of. That when the facts came out, their lordſhips would be judges of the manner in which the delinquents ought to be proceeded againſt; and that that houſe was not to be tied down to the forms of inferior courts of juſtice; that the matter of the petition was not a trial, but only an enquiry into certain alledged facts; and that the houſe was at liberty to proceed, in what manner it ſhould find moſt effectual, for finding out the truth."

But this reaſoning, though ſupported by all the eloquence of the lords in the oppoſition, was found materially unjuſt. Though no particular perſon was charged by the petition; yet it was no ſecret, that it pointed at the earl of Ilay, and his friends in the adminiſtration; and it was againſt all rules of equity, to bring againſt a man a charge, that might affect his intereſt or reputation, without obliging the complainants to ſpecify that charge; whereas, in the preſent caſe, the complainants were at liberty to heap up all kind of calumny againſt the perſons complained of, without the latter having it in their power to obtain any legal remedy, or indeed any

remedy

remedy from that houſe; becauſe, the petitioners can plead that they had brought no charge againſt any individual. Upon the whole, therefore, it being uncertain, whether the petition was deſigned to affect the election of all the ſixteen peers for Scotland, or the election of any one or more of them, a motion was made by the duke of Argyle, "That the conſideration of the petition ſhould be adjourned to a ſhort day, and that the petitioners ſhould be ordered to declare againſt that day, whether they intended to controvert the laſt election of all the ſixteen peers, to repreſent the peerage of Scotland in that houſe, or the election of any, and which of them." While this motion was debating, the duke of Bedford had an interview with the petitioners, who impowered him to make the declaration propoſed, which, he ſaid, "he had taken down in writing, and was then ready to lay before the houſe, to prevent the loſs of a minute's time." This declaration, however, not being regularly ſigned by the petitioning lords, was not then received; and the conſideration of the petition, in the terms of the motion that had been made, was adjourned till next day; the houſe having recommended it to the lord chancellor, to acquaint the petitioning lords ſeverally with its reſolution, and to deſire them to give in their declaration in writing, ſigned by themſelves.

Geo. II. 1734-5.

Motion by the duke of Argyle.

Accordingly, next day, the lord chancellor produced to the houſe, the following declaration, ſigned by the petitioning lords, and left with him.

Declaration of the petitioning lords.

"In conſequence of your lordſhips orders of yeſterday, ſignified to us by the right honourable the lord high chancellor, we, your lordſhips petitioners, do declare, that by our petition, we did not, nor do intend to controvert the election or return of the ſixteen peers for Scotland, mentioned in our ſaid petition, or any of them; but we intended, as we thought it our duty, to lay before your lordſhips, the evidence of ſuch facts and undue methods, mentioned in general in our ſaid petition, as appeared to us to be dangerous to the conſtitution, and may, in future elections, equally affect the right of the preſent ſixteen peers, as that of the other peers of Scotland, if a proper remedy be not found out, as we had before impowered his grace the duke of Bedford to inform your lordſhips."

Hamilton and Brandon, Dundonald,
Queenſberry and Dover, Marchmont,
Montroſe, Stair.

This declaration was ſubject to the ſame objection as the petition; becauſe, it had recourſe to the ſame ſubterfuge of

Geo. II. 1734-5.

ſafety, which the houſe thought to be unjuſt, by the petitioning lords not ſiſting themſelves as accuſers of any one perſon. It was farther obſerved on this occaſion, that if any thing was meant by the petition, it was an accuſation, which muſt lie heavy upon the perſon and character of the accuſed, even though they ſhould be acquitted. It was poſſible, that while the accuſation was defending, the accuſed party might die, and though ever ſo innocent, his memory muſt thereby ſuffer irreparably. Some of his witneſſes, neceſſary for clearing him, might die likewiſe; ſome of them may leave the kingdom, ſome of them may not be able to attend; and, in all ſuch caſes, the accuſed party may be ruined in fortune and reputation. It was aſked, what was the houſe to do? to examine evidence upon a notorious charge of corruption. But evidence againſt whom? perhaps, againſt ſome of the firſt men of the kingdom, who muſt be unprovided in all the means of defence, that are indulged to the loweſt criminal. Upon the whole, therefore, it was thought inconſiſtent with the juſtice and dignity of that houſe, to admit an accuſer, without knowing who is to be the defendant. It was obſerved, that mention was made in the petition, of inſtances and proofs of corruption, which plainly pointed out, that the petitioners meant to accuſe ſome one or other. And that to proceed without giving that one an opportunity of vindicating himſelf, would be erecting that houſe into ſomewhat worſe than a court of inquiſition.

Biſhop of Saliſbury.

Earl of Cheſterfield.

Theſe obſervations, many of which fell from the duke of Argyle, were attempted to be anſwered, by ſtill inſiſting upon it, that the lords petitioners did not appear as accuſers, but as informers of facts, of the higheſt conſequence, to be examined into by that houſe, to know by whom they were committed. "Suppoſing, my lord," ſaid a noble earl, "we ſhould get information, that ſeveral barrels of gunpowder had been placed under this houſe, in order to blow us up; would it not be very odd in us, to put off going to ſearch for, or remove the gunpowder, till we ſhould be informed by what means, at what time, and by whom the powder was placed there? The caſe before us is the very ſame; there is a ſort of metaphorical gunpowder placed under this houſe, which will, in time, blow us up, if it be not removed; and in ſuch a caſe, are we to trifle away our time in enquiries after the names of the perſons, who placed it there, and the methods by which it was conveyed?"

But

But this was thought far from being a ſimilar caſe with the allegations of the petitioning lords, becauſe the gun-powder was a caſe of immediate danger, and the neceſſity of removing it ſuperſeded all other inquiries. Upon the whole, therefore, their lordſhips not thinking the declaration of the petitioning lords to be ſatisfactory, another motion was made, "To adjourn the further conſideration of the petition till that day ſe'nnight; and that the petitioners might be ordered to lay before the houſe againſt that day, in writing, inſtances of thoſe undue methods and illegal practices upon which they intended to proceed, and the names of the perſons they ſuſpected to have been guilty of ſuch undue methods and illegal practices." Geo. II. 1734-5. Motion by the duke of Argyle.

This motion bore a great debate, and the lords in the oppoſition endeavoured very artfully to give a new turn to the whole affair; for they conſidered the inquiry propoſed to be gone into, only as preparatory to an impeachment, by one or other of the houſes of parliament, of the party who ſhould be found guilty of the facts charged in the petition. Mention was likewiſe made of general preſentments made by grand juries, who leave others to proſecute. But it was obſerved, that an impeached party muſt be named before he is impeached, and has it in his power to produce evidence why ſuch an impeachment ſhould not be brought in, in the ſame manner as the courts of Weſtminſter hall upon an information give the party informed againſt a rule for ſhewing cauſe why the information ſhould not go againſt him. As to the caſes of preſentments by grand juries, they held no ſimilitude with the caſe in queſtion; becauſe no preſentments could be made by them but upon oath; and they muſt either themſelves ſee the nuſance, or have ſuch evidence as ſatisfies their conſciences in making the preſentment. Beſides, it was urged, that a grand jury always ſpecifies the nuſance they preſent, and, if they can come at them, the names of the parties; if they did not, no court would pay regard to the preſentment. Debate continued.

The lords in the oppoſition perceiving the debate was againſt them, endeavoured to ſeparate the two parts of the motion, as they contained very diſtinct matters. But the houſe not inclining to this expedient, lord Bathurſt moved, that theſe words, "and the names of the perſons they ſuſpect to have been guilty of ſuch undue methods and illegal practices," might be left out. In conſequence of this amendment, his lordſhip inſiſted, that according to the practice of the houſe, the queſtion ſhould be put upon it before it was put upon the original New motion by lord Bathurſt.

Geo. II. 1734-5.

original motion. This was complied with, and the amendment was rejected by a majority of 90 to 48; upon which the queſtion was put upon the firſt motion, and carried without a diviſion.

rejected on a diviſion.

This laſt order of the houſe of peers being communicated to the petitioning lords, drew from them the following remonſtrance to the houſe of lords.

"My Lords,

Remonſtrance of the lords petitioners to the houſe of peers.

"Your lordſhips order of February 21ſt inſtant, hath been ſignified to us by the right honourable the lord high chancellor, with reſpect to which we do humbly ſubmit to your lordſhips, that we have not by our petition ſtated ourſelves accuſers of any perſon whatever, nor did we intend to do ſo; but thought it our duty to lay before your lordſhips, by way of petition, that ſuch methods and practices were uſed towards carrying on the laſt election of ſixteen peers for Scotland, as appeared to us dangerous to the conſtitution and independency of parliaments. The preſervation of our happy conſtitution is what we have in view, without regard to any particular perſons; and we humbly conceived that any matter which ſo nearly concerns this conſtitution, or might appear to be an incroachment upon it, was a proper ſubject for your lordſhips conſideration and enquiry as a high court of parliament. That without ſtating ourſelves as accuſers, which is far from our intention, we conceive we cannot take upon us to name particular perſons, who may have been concerned in theſe illegal practices; but who theſe were, will undoubtedly appear to your lordſhips upon taking the proper examinations; and the facts are what we humbly pray may be enquired into, whoever may happen to be affected by them.

"Nor can we, without acting as evidences, comply with thoſe words of your lordſhips order, to give the names of the perſons by whom ſuch undue methods and illegal practices were uſed: but would we act both as accuſers and witneſſes, it is impoſſible for us to inform your lordſhips who were the perſons that, in the courſe of this examination, and from the teſtimony of future evidences, may appear to have been concerned in the above-mentioned practices.

"We alſo humbly ſubmit to your lordſhips, that we may have certain and true information of undue methods and illegal practices, that have been uſed towards engaging peers to vote for a liſt; and yet that our informers may not have thought proper to name the perſons by whom ſuch undue methods and illegal practices were uſed; or may be unwilling to do ſo, until they are brought upon their examination.

"And

" And with reſpect to the laying before your lordſhips the particular inſtances of the undue methods and illegal practices mentioned in our petition, we humbly ſubmit to your lordſhips, if an examination of this kind ought to be confined to particular inſtances; ſince from the nature of the thing it appears evident, that many inſtances may come out in the courſe of ſuch examination, the particular circumſtances whereof cannot be known to your petitioners, and yet muſt appear upon enquiry. Geo. II. 1734-5.

" That the opening the particulars of the facts to be proved, may neceſſarily produce ſuch a diſcovery of evidence before examination, as is uſually thought dangerous, even in a courſe of ordinary trials, and may be much more ſo in the caſe of a parliamentary enquiry.

" Yet nevertheleſs, in conſequence of your lordſhips order, as far as we are able from the nature of the thing, we do humbly acquaint your lordſhips, that we laid the petition before you, upon information that the liſt of ſixteen peers for Scotland had been framed by perſons in high truſt under the crown previous to the election itſelf; and that this liſt was ſhewn to peers, as a liſt approved of by the crown, and was called the king's liſt, of which there was to be no variation, unleſs to make way for one or two particular peers, on condition they ſhould go along with the meaſures.

" That peers were ſollicited to vote for this liſt, or the crown liſt, without the liberty of making any alteration.

" That endeavours were uſed to engage peers to vote for this liſt by promiſe of penſions and offices civil and military to themſelves and near relations, and by actual promiſe and offers of ſums of money.

" That ſums of money were actually given to, or for the uſe of, ſome peers to engage them to concur in voting for this liſt.

" That annual penſions were promiſed to be paid to peers, if they concurred in the voting for this liſt; ſome of them to be on a regular eſtabliſhment, and others to be paid without any eſtabliſhment at all.

" That about the time of this election, numbers of penſions, offices (of which ſeveral were nominal) and releaſes of debts owing to the crown, were granted to peers who concurred in voting for this liſt, and to their near relations.

" That on the day of election, a battalion of his majeſty's forces was drawn up in the abbey court of Edinburgh, and three companies of it were marched from Leith (a place at one mile's diſtance) to join the reſt of the battalion, and kept under

Geo. II. 1734-5. under arms from nine in the morning till nine at night, when the election was ended. Contrary to cuſtoms at elections, and without any cauſe or occaſion that your petitioners could foreſee, other than the over-awing of the election.

"Theſe inſtances of undue practices we now humbly mention, which we hope will ſatisfy your lordſhips, that we have juſt reaſon to pray your lordſhips to take this matter into your moſt ſerious conſideration, and to provide ſuch remedy as may be effectual for preſerving the right and freedom of elections; ſuch right of electing being the only right that now remains with the peers of Scotland, in lieu of a conſtant and hereditary ſeat in parliament.

Feb. 27, 1734. Hamilton and Brandon, Queenſberry and Dover, Montroſe, Dondonald, Marchmont, Stair."

This remonſtrance, as it was called, was as unſatisfactory to the houſe as the former declaration of the petitioning lords had been; and the earl of Cholmondley moved, "That the petitioners had not complied with the order of the houſe of the 21ſt inſtant." This motion brought on a new debate, where all the arguments, the ſubſtance of which the reader may learn from the remonſtrance, were repeated and reinforced. But it ſeemed very doubtful to the houſe, whether ſeveral of the general allegations brought by the petitioners, even ſuppoſing them to be fully proved, could fall under the cenſure of a houſe of parliament without encroaching upon the exerciſe of the prerogative; whoſe undoubted right it was to grant places, penſions, reverſions, remiſſions, and the like acts of favour to the ſubjects: and it was highly abſurd to ſuppoſe a peer to be diſqualified from partaking in the royal favour meerly becauſe he had voted, or intended to vote, for what was called the royal liſt. One particular fact was, indeed, charged in the remonſtrance, the holding the battalion of ſoldiers under arms during the time of the election. The court lords did not deny this fact; but they inſiſted upon it, that all that had been done in that reſpect, was legal and prudent. That the ſoldiers were drawn out by the authority of the civil power, who had iſſued proper warrants to the commanding officer, becauſe there were ſtrong grounds to apprehend riots and inſurrections amongſt the populace, who had been heated by the arts of the friends of the petitioning lords, and the warrant was there ready to be produced.

Debate on the Scotch elections continued.

At laſt, the queſtion upon the motion being put, it was carried in the affirmative by a majority of 90 lords againſt 47; upon which a proteſt was entered by 33 peers.

Earl of Cholmondley's motion carried.

Nothing

Nothing now remained for the lords to do in this affair but to diſmiſs the petition; and a motion was made for that effect. This was oppoſed by the friends of the petitioning lords; but the queſtion being put, the affirmative was carried by a majority of 85 againſt 40 lords preſent, and of 14 againſt 3 proxies. But the lords in the oppoſition were very unwilling to quit this favourite point; and though it was then near ten o'clock at night, the earl of Abingdon moved, that the houſe ſhould take into conſideration a pamphlet containing the proteſts of the Scotch lords. He urged this, he ſaid, the rather, becauſe it was putting the houſe into a ready and regular method of coming at the truth of the allegations of the petition. But it was thought by the earl of Scarborough and others, to be below the dignity of the houſe to go into the conſideration of a printed unauthenticated paper, eſpecially ſo late. Lord Bathurſt, who came prepared, offered to the houſe an authentic atteſted copy of the ſaid proteſts from the records. But their lordſhips being in no humour to revive the debate, a motion was made to adjourn, which was carried, upon a diviſion, by a majority of 73 againſt 39. This adjournment likewiſe produced a proteſt ſigned by 32 peers. Geo. II. 1734-5. The petition diſmiſſed on a diviſion, together with the whole of the proceedings.

Thus ended, to the honour of the adminiſtration, an affair that had greatly engroſſed the attention of the public. To treat it with candor, it muſt be acknowledged, that both before and after the union, many of the Scotch peers were extremely indigent, and many of them ſubſiſted upon the bounty of the crown. This, though improper to be judicially owned, was eaſily underſtood to be the caſe by every lord in the houſe; but neither the miniſter nor his friends had made any ſtretches of munificence, other than had been common under the adminiſtration of the lords petitioners, when their party had the direction of affairs in Scotland. It is certain ſome of the noble petitioners had been too ſanguine in their expectations, and had taken into a leſs honourable dependence than that upon the crown, ſome of their brother peers, who were to ſerve as evidences in ſupport of their petition. Reflection.

February 14, was preſented to the houſe of commons the eſtimate of the charge of guards, garriſons, and other his majeſty's land-forces in Great Britain, for the year 1735; the whole of which eſtimate amounted to 794,529l. 4s. 7½d. At the ſame time was preſented the eſtimate of his majeſty's forces in the plantations, Minorca, and Gibraltar, for the year 1735, amounting in the whole to 215,710l. 6s. 5½d; and likewiſe the eſtimate of the charge of the out-penſioners of Eſtimates of land forces.

Chelſea

Geo. II. 1734-5. Chelſea hoſpital for the year 1735, amounting to 31,350l. 9s. 2d. of which 12,500l. was to be raiſed out of the poundage of the forces, and the reſt to be provided by parliament. Two accounts were likewiſe preſented at the ſame time, one of 10,273l. 1s. 7½d. for expences incurred in 1734, and not provided for by parliament; and another of 81,568l. 5s. 11d. for expences incurred by augmenting his majeſty's forces, and in concerting ſuch other meaſures as the exigency of his majeſty's affairs required.

Contraverted elections. The intermediate time to February 18, was ſpent by the commons in receiving petitions upon controverted elections, and other matters of ſmall importance; but that day the treaty with Denmark that had been concluded at London September 19, 1734, was laid before the houſe by his majeſty's command.

Treaty of Denmark. The miniſters employed in negotiating this treaty, on the part of his Britannic majeſty, were the duke of Newcaſtle and the lord Harrington, who then were the two ſecretaries of ſtate, and ſir Robert Walpole; and on the part of Denmark was the ſieur de Johnn, the Daniſh reſident.

The firſt and ſecond articles of this treaty are general profeſſions of friendſhip, and renewals of all former treaties between the two nations.

Its contents. Journal of the commons. By the third article, the king of Denmark, at the deſire of his Britannic majeſty, engages to hold in readineſs, in caſe the good of the dominions of the latter ſhould require ſuch ſuccours, 1000 horſe and 5000 foot, properly officered, armed and accoutered for three years, to be in a condition to march for his Britannic majeſty's ſervice two months after requiſition has been made: but if there is need of them for the immediate defence of his Britannic majeſty's dominions, they are then immediately to march upon the requiſition being made; they taking an oath of fidelity to his Britannic majeſty as ſoon as they ſhall leave the dominions of the king of Denmark.

By the fourth article, his Britannic majeſty engages to pay to the king of Denmark, for every horſeman fitly armed and mounted, fourſcore crowns; and for every foot-ſoldier thirty crowns; one half to be paid immediately upon ſigning the treaty, and the other half when the troops ſhall be delivered. Beſides, his majeſty the king of Great Britain engages to pay to the king of Denmark, an annual ſubſidy of 250,000 crowns banco, during the time the treaty ſubſiſts: but if the troops ſhould paſs into the pay of the king of Great Britain, then his Daniſh majeſty is to have a yearly ſubſidy of 150,000 crowns

crowns banco, while they are in his Britannic majeſty's pay; the treaty to be void at the end of three years, unleſs renewed. Geo. II. 1734-5.

The fifth article regulates, that as ſoon as the troops ſhall begin their march, and come into the pay of his Britannic majeſty, their pay, both ordinary and extraordinary, ſhall be regulated upon the ſame footing with that of the Daniſh troops made over by the treaty of 1701, (to the allies) and it ſhall be put into the hands of Daniſh commiſſaries, without abatement or diminution, to be diſtributed: and that if any of the regiments are ruined or deſtroyed, his Britannic majeſty is to pay for the recruiting them, upon the footing that was ſtipulated in 1701.

By the ſixth article, the ſaid troops are not to be ſent to Italy, nor obliged to ſerve on board a fleet, nor to be tranſported beyond ſea, but for the defence of the kingdoms of Great Britain and Ireland; in which event they are to have the ſame pay that Engliſh troops have; the king of Great Britain engaging to give his Daniſh majeſty three months notice before he ſhall ſend back the ſaid troops, and cauſe them to be paid a month's wages for their return.

The ſeventh article ſtipulates, that the ſaid troops ſhall be immediately ſent back to Denmark with a month's pay in their pockets, in caſe the dominions of the king of Denmark are attacked; and his Britannic majeſty engages to give his Daniſh majeſty, in ſuch event, all the aſſiſtance the caſe ſhall require both by ſea and land. This laſt part of the article is mutually binding upon the king of Denmark in caſe the dominions of his Britannic majeſty ſhould be attacked. By this article likewiſe, his Daniſh majeſty reſerves to his ſubjects a right to trade with France and elſewhere, during the continuance of the war.

By the eighth article it is expreſsly agreed, that for judging, hereafter, whether the cauſe of this alliance exiſts or not, it ſhall be ſufficient that either of the parties be actually attacked by force of arms, without that party having before uſed open force againſt him who attacks.

By the ninth article, three months before the expiration of the treaty are fixed for notice to be given if either party ſhould think proper to continue, prolong, or change it.

By the tenth, and laſt article, the ratifications were to be exchanged at London in two months.

It was the 28th of February before the above treaty with Denmark was referred to the committee of ſupply; and next day ſir Charles Turner, the chairman of that committee, reported

Debate about the Daniſh ſubſidy.

Geo. II. 1734-5.

ported the reſolution of the committee on that head, which was to grant 56,250l. to his majeſty on account of the ſubſidy to be paid to the king of Denmark. But this reſolution was not agreed to by the houſe, without great debates. The enemies of the miniſter, as uſual, declaimed againſt the expence, at a time when Denmark had rather greater reaſon than England had for maintaining the ballance of power in Europe. That the money, therefore, was in fact thrown away, becauſe his Daniſh majeſty never would have agreed to any meaſure incompatible with the intereſt and ſentiments of Great Britain. It was moſt abſurdly added, that the money would have been better employed in gaining over the elector of Bavaria, or detaching the king of Sardinia from his engagements with France; or in enabling the Poles to chuſe ſuch a king as might have prevented the breaking out of the war: and that in ſhort, the ſubſidy was no other than a bribe given by England to induce a foreign prince to follow his own intereſt.

The friends of the miniſter, on the other hand, ſhewed, that it was more the intereſt of Great Britain than of any other power, to ſtrengthen herſelf with alliances that might prevent her being involved in the preſent war; and that if England had not, France would certainly have given his Daniſh majeſty a ſubſidy, and have taken his troops into pay, and have given him a much larger ſum for both than England was to pay by the treaty. They obſerved, that his Daniſh majeſty was no more intereſted, than all independent princes upon the continent were, in mantaining the ballance of power in Europe; that of all other princes, he had the leaſt to fear from the power of France, and was therefore the more likely to have embraced her propoſals had not Great Britain ſtept in. They obſerved farther, that had the miniſtry neglected to ſecure ſo powerful a proteſtant prince as the king of Denmark in the intereſt of Great Britain, the gentlemen in the oppoſition would not have failed to have declaimed againſt the omiſſion with great triumph, eſpecially conſidering the ſmall price which his friendſhip was to coſt the nation; the goodneſs of his troops, and the convenience of their ſituation, for ſerving the common cauſe.

Some gentlemen diſapproved of all ſubſidiary treaties with foreign princes; but they thought it might be of bad conſequence to the credit of the nation if the parliament ſhould, at that juncture, refuſe to approve of a treaty that had been entered into by his majeſty. Of this number was Mr. How,

a grave

a grave ſolemn ſpeaker, and the maſter of the rolls, who voted for the treaty, and was approved of by a majority of 270 againſt 178. Geo. II. 1734-5.

About this time, ſome of the gentlemen in the oppoſition, to increaſe the outcry againſt the miniſter, gave out, that the letters were opened at the poſt-houſe; and Mr. Plummer made a motion, for a copy of his majeſty's warrant, whereby letters were permitted to paſs free from the duty payable upon poſt letters. This motion was not oppoſed by the miniſter, though he foreſaw to what it tended. On the 26th of February the warrant was laid before the houſe of commons; and thereby it appeared, that the privileges of franking was granted by the crown to the great offices of ſtate, and to both houſes of parliament. The reader will, in the notes, find a true copy of this order, which is, in itſelf, a curioſity, and is only to be ſeen in the journals of the houſe of commons[a]. When it was laid before the houſe, great exceptions

Carried for the adminiſtration.

Motion and enquiry about the poſt-office.

[a] Whereas we are given to underſtand, that the revenue ariſing by the general letter-office, or office of poſt-maſter general, hath hitherto ſuffered great prejudice by the free carriage of a great number of letters and paquets, from time to time, which ought to have been paid for according to the acts of parliament in that behalf; and that for reſtraining the miſchief attending ſuch practices, our royal predeceſſors have directed from time to time, by warrant under their royal ſign manual, to whom the ſaid freedom of ſending or receiving free any letters or paquets ſhould be granted or allowed: our will and pleaſure therefore is, and we do hereby require and command, that from henceforth, you permit and ſuffer no perſon or perſons whatſoever to ſend or receive free any letters or paquets, which, by virtue of the ſaid acts of parliament, or any of them, ought to be paid for as aforeſaid, except our principal ſecretaries of ſtate for the time being, the commiſſioners of our treaſury now being and our high treaſurer, or the commiſſioners of our treaſury for the time being and the ſecretaries to the treaſury for the time being, the ſecretary at war, the ſecretary of our admiralty, our lieutenant general, or other chief governor or governors of our kingdom of Ireland for the time being, and his or their ſecretary; excepting alſo the members of both houſes of parliament, during every ſeſſion of parliament, and for forty days before and forty days after every ſeſſion; ſo as the letters or paquets to be franked by virtue of this our authority for the members of parliament of either houſe, do not exceed the weight of two ounces. And our further pleaſure is, that our ſaid ſecretaries of ſtate, commiſſioners of our treaſury, and our high treaſurer,

Geo. II. 1734-5.

exceptions were taken at its being ſigned by the lords of the treaſury; as if the privilege of franking had been owing to the favour of the miniſter; upon the principle, that all acts of the crown were to be regarded as acts of the miniſter. Sir Robert Walpole was far from vindicating the practice of opening the letters of members; but he acquainted the houſe, that unleſs the miniſtry had a diſcretionary power, in times of public danger, of ordering letters to be opened at the poſt-houſe, there would be no diſcovering any bad practices againſt the government: and for the truth of his aſſertion, he appealed to the experience of the nation and of that houſe in the caſe of the biſhop of Rocheſter, and of almoſt all the conſpiracies that have been carried on againſt the government ever ſince the inſtitution of the poſt-office. To this it was anſwered, that granting that to be true, the abuſe of the

treaſurer, and the ſecretaries of the treaſury, our ſecretary at war, and the ſecretary to our admiralty, our lieutenant or chief governor of our kingdom of Ireland for the time being and his ſecretary, or any of them now, or for the time being, ſhall not, at any time or times, permit or ſuffer any perſon or perſons whatſoever to ſend any private letters under cover to them, the ſame not being for our ſervice, but what they ſhall immediately ſend to the ſaid general poſt office, to be taxed and delivered from thence; and ſhall not cover any perſons letters whatſoever, other than their own; and that they ſhall give ſtrict orders to the reſpective ſecretaries and clerks under them to govern themſelves accordingly. And we do alſo will and require you to make our pleaſure known to the members of our ſaid houſes of parliament, that for preventing the abuſes, which, as we have been informed, have been frequently practiſed with divers perſons, who not being members of either of our ſaid houſes of parliament themſelves, have yet preſumed to indorſe on their letters the names of ſuch as were; as alſo to direct their letters to members of parliament, when at the ſame time ſuch letters do not really belong to or concern the members to whom the ſame are directed: we do expect that the members of both houſes do conſtantly indorſe their own names on their own letters with their own hand-writing; and that they do not ſuffer any letters whatſoever, other than ſuch as concern themſelves, to paſs under their frank, cover, or direction, to the diminution and prejudice of our ſaid revenue. And for ſo doing, this ſhall be your warrant.

Given at our court at St. James's this 18th day of October 1727, in the firſt year of our reign.

By his majeſty's command,

To our truſty and well-beloved Edward Carteret and Edward Harriſon, eſqrs; our poſtmaſters general.

R. Walpole,
Ch. Turner,
Geo. Dodington,
Geo. Oxendon,
Will. Clayton.

practice

practice defeated all its design; becauſe conſpirators well knowing that their letters would be opened, never would truſt their correſpondences to the poſt-office. Gentlemen even went ſo far as to inſinuate, that the miniſter incouraged ſuch practices, in order to come at the knowledge of the private dealings and circumſtances of merchants. At laſt, a committee to enquire into that affair was moved for and named; and highly to the diſappointment of the gentlemen in the oppoſition, the motion was not oppoſed by ſir Robert Walpole or his friends, who were only for reſtricting it from incroaching upon the ſecrets of government. Geo. II. 1734-5.

This opened a very curious ſcene of enquiry. For it appeared, that when the bill granting the poſt-revenue to Charles II. went to the houſe of lords, the commons ſent it up with a clauſe, reſerving to themſelves the privilege of franking in the ſame manner they now enjoy it. The lords finding no ſuch proviſion in the bill for them, and thinking it to be a money-bill, paſſed it without that clauſe; and the whole bill muſt have been thrown out when it was ſent back to the commons, had not the miniſtry given them aſſurances that their letters ſhould come and go free. Accordingly, the king gave orders (which were printed) "that the farmers of the poſt-office ſhould ſuffer all ſingle letters, but not packets, ſent by the poſt-office to or from any member of either houſe of parliament, to go free, without payment of any thing for the poſt thereof." Notwithſtanding this order, the houſe thought the privilege of franking ſo much their right, that they (October 19, 1666) committed an officer of the poſt-houſe for charging the letters of members with poſtage: and when the poſt-office revenue was ſettled by the crown upon the duke of York, his royal highneſs was ſo far from thinking he had a right to ſtop or charge franks, that he ſent ſir Philip Frowde, who managed the office for him, to deſire the aſſiſtance of the houſe in puniſhing certain attorneys who had counterfeited franks.

This and other evidence being laid before the committee, they made a report, and agreed upon a ſet of reſolutions which ſeemed repugnant to the prerogative exerciſed by the crown in the other [a]. But the matter was too trifling and, indeed, too

[a] The reſolutions were, That it is the opinion of this committee, that the privilege of franking letters by the knights, citizens, and burgeſſes, choſen to repreſent the commons in parliament, began with the erecting a poſt-office within this kingdom, by act of parliament.

Geo. II. 1734-5.

too doubtful to be conteſted on the part of the miniſter, who ſuffered the reſolutions, after ſome immaterial amendments, to paſs.

Journals of the commons.

Motion for a committee of examination into the navy debt.

On the 21ſt of February[a] ſir William Wyndham, after the committee of ſupply had come to ſeveral reſolutions, moved for ſome precedents to be read, and then, "that the ordinary eſtimate of his majeſty's navy for the year 1735, might be referred to the conſideration of a ſelect committee; and that they ſhould examine the ſame, and report the facts, with their opinion thereupon, to the houſe." He grounded this motion upon the greatneſs of the debt of the navy, and the extravagance of the eſtimates lying before the houſe; and that tho' money was every year voted for defraying the expence of thoſe eſtimates, yet that the debt upon the navy

That all letters (not exceeding two ounces) ſigned by the proper hand of, or directed to any member of this houſe, during the ſitting of every ſeſſion of parliament, and forty days before and forty days after every ſummons or prorogation, ought to be carried and delivered freely and ſafely from all parts of Great Britain and Ireland, without any charge of poſtage.

That it is an high infringement of the privilege of the knights, citizens, and burgeſſes, choſen to repreſent the commons of Great Britain in parliament, for any poſt-maſter, his deputies or agents, in Great Britain or Ireland, to open or look into, by any means whatſoever, any letter directed to, or ſigned by the proper hand of any member, without an expreſs warrant in writing, under the hand of one of the principal ſecretaries of ſtate, for every ſuch opening or looking into; or to detain or delay any letter directed to, or ſigned with the name of any member, unleſs there ſhall be juſt reaſon to ſuſpect ſome counterfeit of it, without an expreſs warrant of a principal ſecretary of ſtate, as aforeſaid, for every ſuch detaining or delaying.

That all letters directed to any members of this houſe, at any place within the bills of mortality, be carried by the proper officers of the poſt-office to the houſe or lodgings of ſuch member, or to the lobby of the houſe of commons.

That it is a notorious breach of the privilege of the houſe of commons, for any perſon to counterfeit the hand, or to put the name of any member of the houſe of commons upon any letter, in order to prevent its being charged with the duty of poſtage.

That ſuch perſons as ſhall preſume to do the ſame, ought to be proceeded againſt with the utmoſt ſeverity.

[a] The reader is deſired, once for all, to take notice, that when he finds any dates of parliamentary proceedings different from thoſe to be found in the magazines, regiſters, and other periodical pamphlets of the times, the date followed here is conſtantly that which ſtands upon the journals of the parliament.

had

had been, of late years, continually encreasing: and according to the printed debates of the times, he mentioned one very extraordinary article, and that was, a sum of near [b] 250,000l. charged, not for building ships, but for the building of houses. "Whether such houses were necessary, continued he, I shall not now pretend to determine; but if they were, I think it is too large a sum for any minister, or for any administration to have expended, without a previous authority from parliament." The rest of his speech, upon this occasion, ran upon the common topics of anti-ministerial declamation, invectives against profusion, and encomiums upon œconomy. Geo. II. 1734-5.

The minister had now been so long used to such declamations, that it met with a ready reply. It was said, "that if there had of late years been any defect in point of œconomy, the parliament was to blame, and not the ministry, who had, regularly every year, laid before parliament all the public accounts. That funds had often proved deficient, and that the public exigencies requiring frequent votes of credit to be given to his majesty, had rendered it impossible hitherto to reduce the navy-debt." Though all this was well known to the friends of the motion, yet they proceeded with great rancour against the measures of the administration, accusing it of profusion in the expensive armaments that had been fitted out in quarrels, foreign to the interest of Great Britain. All their invectives, however, were lost upon the house; for, upon a division, the question was rejected, by a majority of 198 against 160. Journals of the house of commons.

This year, a material alteration happened with regard to the mutiny-bill, which, as it then stood, put it in the power of a justice of peace to throw a poor fellow into a dungeon for a month, if, after receiving inlisting-money (while perhaps he was drunk) he refused to take the oaths, even though he offered to return the money, and to pay all charges. This was thought very oppressive; and sir Walter Baggot, knight of the shire for Stafford, moved for a clause, "that every person, inlisted as a soldier, shall be carried before a magistrate, and before such magistrate, shall have liberty to declare his dissent to such inlisting." The clause was afterwards Alteration in the mutiny act.

[b] Upon the journals of the house of commons no such charge is to be found in the estimate of the ordinary of the navy this year. It must therefore be meant of the sums expended upon docks, wharfs, houses, &c. for some years past, and set down in former estimates. The whole of the estimate of the ordinary of the navy this year, amounts to 198,914l. 9s. 7d. exclusive of 10,000l. for Greenwich hospital.

Geo. II. 1734-5. altered, as follows: "That every officer, who ſhould thereafter inliſt any man to ſerve in any regiment, ſhould, within a certain number of days, carry the man ſo inliſted before ſome one of the next juſtices of the peace, where the perſon ſo inliſted, ſhould be at liberty to declare his diſſent, and, having repented of what he had done; and upon his ſo doing, and returning to the officer the enliſting-money, and the expences the officer had been at by inliſting him, and carrying him before the juſtice, not exceeding a certain ſum, ſuch juſtice ſhould forthwith diſcharge him: and that an officer, guilty of any failure or neglect in this reſpect, ſhould be liable to the ſame penalties, to which officers are made liable, for falſe muſters." This clauſe met with ſome oppoſition by general Wade, and other gentlemen concerned in the army, but none from the gentlemen in the adminiſtration, who declared, they would be for it, if it was conſiſtent with the good of the ſervice. But it being objected, that a ſoldier, receiving inliſting-money, might immediately abſcond, ſo that the officer not having it in his power to carry him before a magiſtrate, the man could not be deemed to be inliſted, though he never returned the money; a clauſe was therefore added, "That if any perſon ſhall receive the inliſting-money, knowing it to be ſuch, and ſhall abſcond, or refuſe to go before a magiſtrate, in order to declare his aſſent or diſſent to the inliſting, ſuch perſon ſhall be deemed to be inliſted, to all intents and purpoſes." After ſome debate, both clauſes were agreed to, without any diviſion.

Journal of the houſe of commons.

Moderation of the miniſtry.

This was not the only proof the miniſter and his friends gave of their moderation this ſeſſion. They ſuffered ſeveral motions, made by the oppoſition, to be carried; and in the conteſts about elections, as many were carried againſt the adminiſtration, as for them. But all this moderation did not ſtop the clamour raiſed by the oppoſition. The depredations of the Spaniards ſtill continued. The troubles of Europe were not yet appeaſed, and the power of the houſe of Auſtria had of late been greatly reduced, with the blame of all which the miniſter was loaded. Therefore, on the 6th of March, a motion was made in the houſe of peers, by the earl of Cheſterfield, "That an humble addreſs ſhould be preſented to his majeſty, that he would be graciouſly pleaſed to give direction, that the ſeveral inſtructions to Mr. Woodward, his majeſty's miniſter in Poland, in the year 1729, ſhould be laid before the houſe." The reader has already ſeen an account of a debate upon this ſubject in the houſe of commons; little or nothing new was advanced upon this oc-

Motion in the houſe of peers for papers.

occaſion, and the motion was rejected, by a majority of 71 against 29. 1 Geo. II. 1734-5.

Immediately after this the lord Bathurſt moved, "That a humble addreſs ſhould be preſented to his majeſty, that he would be pleaſed to give direction, that the letters and inſtructions, ſent to his majeſty's miniſters at the courts of France and Spain, relating to the execution of the treaty of Seville, ſhould be laid before the houſe." This motion had likewiſe been made before, but the friends of the adminiſtration thought it the more unſeaſonable at this time, upon account of the plan of pacification, concerted between his majeſty and the Dutch, and which was in ſo fair way of ſucceeding, unleſs retarded by ſuch captious motions. This motion was therefore rejected by a majority of 72 againſt 29. Diviſion.

An affair of a very ſerious nature was at this time depending before the houſe of commons. The magiſtrates of the royal burgh of Haddington had been ſeized and impriſoned in a diſtant gaol, without been admitted to bail, by a warrant from one of the Scotch judges. But another of them had ventured to take their bail, and ſet them at liberty. A petition from the impriſoned parties was preſented to the houſe of commons, and the caſe was ſo flagrant, that a motion was made, to refer it to the conſideration of a committee of the whole houſe. This was oppoſed by the miniſter and his friends, becauſe the petition, in fact, was a private affair, and the petitioners might have their remedy in the municipal laws of Scotland, as they ſtood before the union. On the other hand, it was urged, and indeed with ſome juſtice, that the caſe affected the liberty of the ſubject in the moſt tender part: that though an Engliſh houſe of commons, before the union, had no concern with the laws of Scotland, yet now that their repreſentatives made part of a Britiſh parliament, it became that houſe to watch over the liberty of the ſubjects there, as much as in England, were it no more than to preſerve the freedom of elections, which the oppreſſion complained of, had actually invaded and deſtroyed. It was added, by ſome of the learned members from that country, that the laws themſelves, with regard to the liberty of the perſon, wanted great amendment, and the caſe before them was brought as an inſtance of it. The queſtion, however, being called for, the motion was rejected, by a majority of 197 againſt 155. Caſe of the magiſtrates of Haddington. Diviſion upon it.

The throwing out this motion did the miniſter no ſervice; and nothing but his attachment to his friends, could have occaſioned it. The minority, however, finding themſelves ſo con-

Geo. II. 1734-5.

Journal of the houſe of commons.

Bill for ſecuring the freedom of the perſon in Scotland.

conſiderable, upon the 14th of March moved, that part of an act of the parliament of Scotland, made 1701, intitled, "An act for preventing wrongous impriſonments, and againſt undue delays in trials," might be read: and the ſ being read, a motion was made, and the queſtion propo That leave be given to bring in a bill, for the better ſecur the liberty of the ſubjects in that part of Great Britain, cal ed Scotland; and for explaining and amending an act, paſſed in the parliament of Scotland in the year 1701, intitled, "An act for preventing wrongous impriſonment, and againſt undue delays in trials."

Groſs defects of the Scotch laws.

It muſt be acknowledged, that the reading of the Scotch a made no favourable impreſſion upon the houſe with re d to the liberty of the perſon in Scotland. It appeared, that a magiſtrate or judge was not obliged to examine an informer upon oath, or to bring the parties before him, before they were ſent to priſon. All that was required for committing to gaol any man, or body of men in that kingdom, was an information in writing, ſigned by the informer, and left with the magiſtrate. The miniſter himſelf and his friends diſliked that part of the Scotch conſtitution, but oppoſed the title of the bill moved for, and propoſed to leave out of it the words [for the better ſecuring the liberty of the ſubjects in that part of Great Britain called Scotland.] But this amendment meeting with oppoſition, it was carried by a majority of 215 againſt 147. And the bill, without the above words, was ordered to be brought in by Mr. Dundaſs, the lord Pollworth, and Mr. Sandys.

Character of Mr. Dundaſs.

The former of theſe gentlemen was eſteemed the greateſt genius in the law, that Scotland had ever produced. In ſpeaking, he was amazingly fluent and copious; but his language, through its provinciality, and his own inattention, was coarſe and vicious. He had been long in the adminiſtration of affairs in that country, where he had ſerved as lord advocate; an office, ſomewhat reſembling that of an attorney-general in England, but with much more extenſive powers; and he exerciſed it with the utmoſt deſpotiſm and rigour. Being thoroughly devoted to party, when the intereſt of the Argyle family prevailed there, he grew a furious oppoſer of the miniſter, and very troubleſome to him in the houſe of commons.

Bill paſſes the commons, but is thrown out by the lords.

The bill in queſtion, however, was brought in, and paſſed the houſe of commons, but was thrown out of the houſe of peers, through the oppoſition made to it by the earl of Ilay.

On

On the 10th of April, a petition of the then late general assembly of the church of Scotland, was presented to the [illegible] and read; representing, "that patronages have, since the reformation, been deemed by the said church, a very great grievance, and not warranted by the word of God, and have at all times been struggled against; and soon after the revolution, an act of parliament was made in Scotland, abolishing the power of patrons to present ministers to vacant churches; and at the union of the two kingdoms, the establishment of the church of Scotland in all its rights and privileges, by that and other acts of parliament, made or ratified after the revolution, was declared to be a fundamental and essential condition and article of that union; and at that time it was the right and privilege of the said church to be free from patronages: but that by an act passed in the 10th year of her late majesty queen Anne, intitled, "An act to restore the patrons to their antient rights of presenting ministers to the churches, vacant in that part of Great Britain called Scotland," the aforesaid act, passed in the reign of king William, was rescinded, in so far as concerned the power of patrons, to present ministers to vacant parishes, and other advantages, which had been the chief things bestowed on patrons, in lieu and recompence of their former right of presentation, were nevertheless suffered to continue with them; and therefore praying the house to pass a bill, for repealing the foresaid act of parliament, passed in the 10th year of queen Anne, in so far as concerns the power of patrons, to present ministers to vacant churches, in order to restore the church of Scotland to the rights and privileges she was possessed of at the union of the two kingdoms."

Geo. II. 1735.

Petition of the church of Scotland.

Nothing could be more reasonable or better suited to the principles of the church of Scotland, than the prayer of this petition; and the petitioners had formed great hopes of its success, but they were mistaken. For, though a bill was ordered in, to repeal so much of the act passed in the 10th year of the reign of her late majesty queen Anne, intitled, "An act to restore patrons to their antient rights of presenting ministers to the churches vacant in that part of Great Britain called Scotland, as relates to the power of patrons to present ministers to vacant churches;" and to explain an act, passed in the parliament of Scotland in the year 1690, intitled, "An act concerning patronages, by ascertaining the method of calling ministers to vacant churches in Scotland;" and though it received a first reading on the 29th of April, yet, when it came to be read a second time on the 2d of May, it was

opposed,

Geo. II. 1735.

opposed, chiefly by the desire of the Scotch members themselves; who, being most of them patrons, thought the bill was an invasion upon their rights: the house, however, divided, and the bill was postponed for a month, which was the same as dropping it, by a majority of 169 against 85. As this was looked upon as an act of the minister, it did him and his friends no service with the violent presbyterians in Scotland.

opposed, and thrown out, on a division.

Place-bill brought in, and thrown out.

It must here be remembered, that in this session, an effort was made to revive the famous bill, for the better securing the freedom of parliament, by limiting the number of officers in the house of commons; but, after being twice read, the house dividing upon committing it, it passed in the negative, by a majority of 210 against 190.

Bill for quartering soldiers.

The case of the election of the Scotch peers having made a great noise, lord Carteret made a motion in the house of lords, for having the last year's allotments of the quarters of the army laid before the house. This motion being readily agreed to, the judges were ordered to prepare and bring in a bill, for regulating the quartering of soldiers, during the time of elections of members to serve in parliament, which was accordingly done; but the bill, as it was brought in, occasioned great debate, particularly the preamble, which ran as follows.

Amendments.

"Whereas, by the antient common law of this land, all elections ought to be free; and whereas, by an act passed in the 3d year of the reign of king Edward the Ist, of famous memory, it is commanded, upon great forfeture, that no man, by force of arms, nor by malice or menacing, shall disturb any to make free election: and forasmuch as the freedom of elections of members to serve in parliament, is of the utmost consequence to the preservation of the rights and liberties of this kingdom: [To the end therefore, that the same may be safely transmitted to posterity, and for the avoiding any inconveniencies that may arise thereunto from any regiment, troop, or company, or any number of soldiers, which shall be quartered or billetted within any city, borough, town, or place, where any election of any member or members to serve in parliament, or of the sixteen peers to represent the peerage of Scotland in parliament, or if any of them shall be appointed to be made."]

It was objected on the part of the government, that the words of this preamble within the crotchets, carried an invidious insinuation, as if something had been done to violate the rights of election. It was therefore the sense of the house,

houſe, that they ſhould be omitted; and a great many other amendments being made to the bill, which effectually provided for the abſence of military troops from the places of election, it was paſſed. But two proteſts were entered, ſigned by twenty-five peers, againſt the amendments that had been made. It was the 25th of April before the bill was ſent down to the houſe of commons, and it was committed on the 1ſt of May. On the 7th of the ſame month, a report upon the bill was made, with a long amendment of the ſame, and an attempt was made by the court-party to throw it out, but it paſſed, by a majority of 47 againſt 38. Paſſes, with the amendments. Geo. II. 1734-5.

The other debates which happened this ſeſſion, being already exhibited upon other occaſions, the mention of them is ſufficient here: one was in the houſe of peers, April 25th, upon the bill for granting and continuing the duties upon ſalt, and upon red and white herrings, for a time therein mentioned. The next debate was upon the bill for enabling his majeſty to apply the ſum of 1,000000 out of the ſinking fund, for the ſervice of the year 1735, both which were ſent back to the commons on the 25th of April. Other Debates.

The national induſtry at this time ſuffered extremely, through the great increaſe of playhouſes and threatrical exhibitions. It is incredible, with what ardour they were frequented by the young people and others, whoſe circumſtances were not ſuited to ſuch pleaſures. The city of London particularly felt this inconveniency; for, a playhouſe had been opened in Goodmans-fields, by the ſubſcriptions of the inhabitants, at the expence of 2,300 l. under the direction of Mr. Henry Giffard, who had divided the property of the ſame into twenty-three ſhares, as a ſecurity for paying to each of the ſharers one ſhilling and ſixpence for every acting day, beſides the liberty of ſeeing the play gratis. Another gentleman, of the name of Potter, had bought the leaſe of the King's-Head inn, in the Haymarket, which he fitted up into a playhouſe, at a conſiderable expence; and there ſcarcely was a city in the kingdom, free of ſuch nuiſances. Sir John Barnard, therefore, this ſeſſion, after laying before the houſe the dreadful tendency of ſuch a multiplicity of theatrical exhibitions, moved for a bill, to reſtrain the number of houſes for playing of interludes, and for the better regulating common players of interludes. This bill was not only wiſe and neceſſary itſelf, but was favoured by the miniſtry. Notwithſtanding this, it met with great oppoſition, and was ſometimes in danger of being loſt. But the city of London, and the magiſtrates in the county of Middleſex, with thoſe Playhouſe-bill, miſcarries.

of

Geo. II. 1735. of other great towns all over the nation, preſenting petitions in its favour, it made its progreſs, though ſlowly, through the houſe, till it came to be committed to a committee of the whole houſe. But, this being objected to upon a diviſion of 90 againſt 74, it was put off for a fortnight, and conſequently dropt for that ſeſſion.

Little more remains for the reader's information concerning the buſineſs of the ſeſſion, than to inform him of the money which had been granted, the account of which is as follows.

On March 17th, the houſe reſolved itſelf again into a committee of the whole houſe, to conſider further of the ſupply granted to his majeſty, when they reſolved to grant the following ſums, viz.

Money granted this ſeſſion. The ſum of 10,393 l. 5 s. 11 d. to compleat the ſum of 81,568 l. 5 s. 11 d. for ſervices incurred, by augmenting his majeſty's forces, and in concerting ſuch other meaſures, as the exigency of affairs had required. The ſum of 49,834 l. 13 s. 4 d. upon account, for reduced officers of his majeſty's land-forces and marines, for 1735. The ſum of 3,780 l. for paying of penſions to the widows of ſuch reduced officers of his majeſty's land-forces and marines, as died upon the eſtabliſhment of half-pay in Great Britain (and who were married to them before December 25, 1716) for the year 1735. The ſum of 79,760 l. 3 s. 9 d. for the charge of the office of ordnance for land-ſervice for 1735. The ſum of 24,693 l. 1 s. 6 d. for defraying the extraordinary expence of the office of ordnance for land-ſervice, not provided for by parliament. The ſum of 36,405 l. 15 s. 4 d. $\frac{1}{4}$ to make good the deficiency of the grants for the ſervice of the year 1734. The ſum of 37,557 l. 13 s. 4 d. for making good the deficiency of the general fund. The ſum of 198,914 l. 9 s. 7 d. for the ordinary of the navy (including half-pay for ſea-officers) for 1735. The ſum of 10,000 l. towards the ſupport of the royal hoſpital at Greenwich. The ſum of 10,000 l. towards the maintenance of the Britiſh forts and ſettlements belonging to the royal African company of England, on the coaſts of Africa. The ſum of 26,000 l. towards ſettling and ſecuring the colony of Georgia in America. The ſum of 4000 l. towards the repair of the collegiate church of St. Peter, Weſtminſter; and the ſum of 3,500 l. for the repair of the tower and roof of the pariſh church of St. Margaret, Weſtminſter. By adding theſe ſums to the ſums before granted, it will appear, that the ſupply granted for this year, amounts to 3,150,452 l. 4 s. 7 d. $\frac{1}{2}$.

This

This ſeſſion, the commons endeavoured to rectify the laws relating to the poor of England, which they found in ſome reſpects to be defective; in others, difficult to be executed, and in others, chargeable. The chief reſolutions they came to was, that in each county, a number of proper perſons ſhould form themſelves into a body politick, for erecting and governing hoſpitals and workhouſes, for the maintenance and employment of the poor, for the reception of foundlings and other infants, and for the puniſhment of vagrants and other diſorderly perſons; and that all the laws relating to the poor, ſhould be reduced to one act of parliament. But it being the 2d of May before this report was made to the houſe, nothing farther was done in this important matter. Geo. II. 1735. Reſolutions about the poor.

The account of this ſeſſion of parliament would be imperfect, without acquainting the reader, that in the debates of this year upon the meaſures of the adminiſtration, the Scotch members bore a great part. He, who diſtinguiſhed himſelf moſt on the ſide of the court, was Forbes, lord advocate of Scotland. He had been early bred to the law, and upon a very particular occaſion had diſtinguiſhed himſelf with great ſpirit in the intereſt of the houſe of Hanover. He was endowed with a faculty of ſpeaking, that approached to eloquence, in its being natural, unaffecting, and moving. He is admitted, both by friends and foes, to have been one of the honeſteſt men his age or country ever produced; and though not ſo great a genius in the law as Dundaſs, he underſtood as much of it as fitted him to be an excellent advocate, and more than was neceſſary to compleat him an upright judge. He afterwards died lord preſident of the ſeſſion in Scotland, where a marble ſtatue is erected in the ſupreme court of juſtice, to the memory of his virtues. See Vol. XVII. p. 394. Character of Mr. Forbes, lord advocate for Scotland.

Such was one of the beſt friends the miniſter had in the houſe of commons. As he was never known to ſpeak but his real ſentiments, they had great weight with the houſe, where the members in the oppoſition, particularly Mr. Erſkine, brother to the earl of Mar, who raiſed the rebellion in the year 1715, endeavoured to repreſent the conduct of the miniſtry in Scotland, as being dangerous to the liberty of the ſubject, and particularly in the caſe which was often renewed, of the troops drawn out at the time of the election of the Scotch peers. They were defended by Mr. Forbes, who ſaid, "that the troops in Scotland were abſolutely neceſſary there, for preventing the notorious practice of ſmuggling, and reſiſting the civil power;" he likewiſe repreſented to the houſe, what a few years after the nation experienced

to

Geo. II. 1735.

to be a melancholy truth, "that the diſaffection of the highlanders to his majeſty's perſon and family, abſolutely requir[es] a body of troops to bridle them."

Outcry about the Spaniſh depredations and the ſugar iſlands revived.

Towards the end of the ſeſſion, the outcry about the Spaniſh depredations, and the danger of the Engli[ſh] ſugar colonies, was again renewed. It is certain, that the South-ſea company were extremely uneaſy at the clandeſtine trade carried on, to the ruin of their intereſt, by the Britiſh ſubjects in America, and that they privately excited the Spaniards to ſuppreſs them. It cannot, at the ſame time, be denied, that ſeveral illegal captures were made, by the Spaniards, of Britiſh property. Upon the 28th of March the houſe of commons addreſſed the king,

Addreſs upon the Spaniſh depredations.

"That he will be graciouſly pleaſed to give directions, that there may be laid before this houſe copies of all the reports made by his majeſty's commiſſaries in Spain, together with copies or extracts of all letters and papers relating thereto; and alſo what ſatisfaction has been obtained for the ſubjects of Great Britain for the many loſſes they ſuſtained by the depredations of the Spaniards in Europe, or in the Indies, purſuant to the ſecond ſeparate article of the treaty of peace, union, friendſhip, and mutual defence between the crowns of Great Britain, France and Spain, concluded at Seville on the 9th of November 1729, the ſaid treaty having been faithfully and punctually executed on the part of Great Britain."

Petition from the ſugar merchants and planters.

With regard to the ſecond ground of clamour, upon the 31ſt of March a petition was preſented to the houſe of commons from the merchants and planters trading to, and intereſted in, his majeſty's ſugar colonies, and read; ſetting forth, that by two acts, paſſed in the 12th and 22d years of king Charles II. the inhabitants of the ſaid colonies are reſtrained from ſending any ſugars to foreign markets before they are firſt landed in Great Britain: and that the ſugar iſlands now being in a declining condition, chiefly by the increaſe of the French ſettlements, it would be highly beneficial to Great Britain, as the petitioners apprehend, to put the Britiſh ſubject in a capacity of diſputing foreign markets with the French, and to permit him to carry his ſugars earlier and cheaper to theſe markets than he now can do: and that the ſugar colonies import yearly into this kingdom, [more] than enough for our home conſumption, and alſo a large ſurplus for re-exportation to foreign parts; but that the demand from abroad has greatly decreaſed within theſe few years: and the markets for that commodity have been foreſtalled by the French, not only to the prejudice of the ſugar trade, but

alſo of the general trade of Great Britain; and that if Britiſh ſhips were permitted to go to foreign markets, without loading here, under proper reſtrictions, the whole charge, and, in a great meaſure, the riſk of a double voyage would be ſaved: and that the obliging ſuch ſhips to return to Great Britain to unload and take their clearance here, before their proceeding on another American voyage, would be attended with this farther good effect, that they muſt afford to carry freight at the cheapeſt rates, or return home empty. So that this regulation, as the petitioners conceive, would extend our navigation, and contribute to make us the carriers of Europe, without prejudicing the revenue; all the duties on ſugar being drawn back on the re-exportation of it to foreign ports. And therefore praying, that a liberty may be granted to carry Britiſh ſugars from our ſugar colonies in America, directly to any foreign markets to the ſouthward of Cape Finiſterre, under ſuch reſtrictions as ſhall be thought reaſonable; and alſo of carrying ſuch ſugars to any foreign markets to the northward of Cape Finiſterre, after firſt touching in Great Britain, giving in a manifeſt of their cargo, and entering into bond to return to Great Britain before they proceed on another Weſt-India voyage; or ſuch other relief as to the houſe ſhall ſeem meet. Geo. II. 1735.

A ſecond addreſs about the Spaniſh depredations.

On the 14th of May, an humble addreſs was preſented to his majeſty, that he will be graciouſly pleaſed to give directions to the proper officer or officers to prepare copies, in order to be laid before this houſe the next ſeſſion of parliament, of the ſeveral repreſentations, memorials, or petitions, made to his late or preſent majeſty, or to the principal ſecretaries of ſtate, commiſſioners for executing the office of lord high admiral of Great Britain, or commiſſioners for trade and plantations, ſince the 25th day of March 1725, which have not already been laid before this houſe, relating to any loſſes ſuſtained by his majeſty's ſubjects by depredations committed by the Spaniards in Europe or America; together with all copies or extracts of any letters from any of the Britiſh governors in America, conſuls in Europe, or any commanders in chief or captains of his majeſty's ſhips of war, to the ſecretaries of ſtate, commiſſioners for executing the office of lord high admiral of Great Britain, or commiſſioners for trade and plantations, which have not already been laid before this houſe; and alſo copies or extracts of all letters written, and inſtructions given, by the ſecretaries of ſtate or commiſſioners for executing the office of lord high admiral of Great Britain, to any of the governors of the Britiſh plantations,

Geo. II. 1735. tions, or any commanders in chief or captains of his majeſty's ſhips of war, which have not already been laid before this houſe relating to the ſaid loſſes ſuſtained by the ſaid depredations.

But the ſeſion being too far advanced for any thing to be done in conſequence of theſe reſolutions, the event muſt be referred to the next ſeſſion of parliament; for upon the 15th of May, his majeſty thought proper to put an end to this. In the ſpeech he made upon the occaſion, he frankly acknowledged, "that the plan of pacification he had formed and concerted with the Dutch, had not yet had the deſired effect: but, at the ſame time, he was ſtill of opinion, that all means of pacifying the troubles of Europe ſhould be purſued. He likewiſe thanked the parliament for the ſeaſonable augmentation of the national forces they had made both by ſea and land:" and towards the cloſe of his ſpeech he informed them, "that being obliged to viſit his German dominions, he was to leave the queen, regent; recommending it to them to render the burthen of that weighty truſt as eaſy to her as poſſible." The parliament was then prorogued to the 12th of June next, and by various ſubſequent prorogations, to the 15th of January next.

Seſſion cloſed.

His majeſty's ſpeech.

CHAP. V.

State of affairs abroad—England interpoſes in favour of the Portugueſe in their quarrel with Spain—Don Carlos crowned in Sicily—Negotiations for a peace—Parliament meets—Eſtimates laid before them—Debates and motions—The prince of Wales married—Proceedings relating to the gin act—Deficiencies ariſing from it debated and made good—Weſt-India merchants petition againſt it—Other petitions—Debates about the diſſenters—And upon the mortmain bill—Act for repealing the teſt-act.

State of affairs abroad.

AT this time the government of Great Britain was as high in credit abroad, as it was attempted to be rendered deſpicable at home. Every day added to the riches of the nation, by a ſecure enjoyment of her commerce amidſt all the diſturbances of her neighbours. The groundleſs outcry, as if the Britiſh miniſtry had encouraged France to fet Staniſlaus on the throne of Poland, and thereby to revive the flames of war in Europe, now vaniſhed. It appeared that

that the French court never was in earneſt in that attempt; and notwithſtanding the dutiful letters wrote to Staniſlaus by his ſon-in-law the French king, the miniſtry of Verſailles held a very different language to the queen, who, they ſaid, ought not to expect that France was to be ruined and expoſed by endeavouring to carry into execution an impracticable attempt. Geo. II. 1735. Inſincerity of France.

The emperor, on the other hand, was a good deal ſtartled at the moderation of his majeſty, and expreſſed his ſurprize at his ſpeech to the parliament. The truth is, he had been made to believe, that the parliament would addreſs the throne to renew the grand alliance againſt France. And it is poſſible that ſome ſuch meaſure might have been purſued, could it have appeared that his Imperial majeſty had deſerved it at the hands of Great Britain, or that ſuch an alliance could have been formed with any probability of ſucceſs at a time when the Dutch were ſo ſtrongly wedded to the intereſt of France. His Britannic majeſty, however, never loſt ſight of the common cauſe; and it was owing to his wiſdom intirely, that the ballance of power in Europe was not, at this juncture, irretrievably ruined. The French had formed ſo ſtrong a party at the Ottoman court, that ſome divans had been held to deliberate upon a war with the emperor. This coming to the knowledge of the Britiſh and Dutch ambaſſadors, they communicated the ſame to their maſters, who ſent them expreſs orders to counteract the French all they could; and they ſucceeded ſo well, that his Britannic majeſty received the thanks of the emperor on that account. The conferences for peace ſtill continued at the Hague upon the footing of king Staniſlaus ceding the crown, but retaining the title of king, of Poland; of don Carlos keeping Naples and Sicily; of France reſtoring all the places ſhe had conquered; and of all the powers in Europe guarrantying the pragmatic ſanction. At the ſame time, the States General renewed, for another year, their treaty of neutrality with France. Conduct of the emperor.

The haughtineſs of the court of Vienna, croſſed all the endeavours of the mediating powers for peace. The emperor, inſtead of ſecuring to himſelf what was ſtill left him of his dominions in Italy, or ſome equivalent for what he had loſt there, renewed his preparations for war, and threatened to make the campaign in 1735 more bloody than any of the preceding ones. This alarmed the marſhal Broglio, who commanded the French armies in Italy, ſo much, that he fortified all important paſſes, and rendered the conquered War in Italy.

Geo. II. 1735.

country inacceſſible to the Imperial troops. In Germany, preparations were made by the emperor for covering the cities of Metz and Heidelberg, by a line guarded by 20,000 Imperialiſts, with the contingent troops of Pruſſia, Denmark, Hanover, and Heſſe-Caſſel. But, by this time, his Imperial majeſty had loſt almoſt all Sicily to don Carlos, the ſtrong [illegible] of Meſſina having been obliged to ſurrender.

and Germany.

Emperor loſes Sicily.

Quarrel between Spain and Portugal.

It was about the ſame time that a quarrel broke out between the courts of Madrid and Liſbon, on account of affronts mutually offered to their ambaſſadors at each court. But the truth is, the ground of the quarrel lay much deeper; and it was ſurmiſed, not without great probability of truth, that the Spaniſh court was encouraged by their late ſucceſſes in Italy, and an advantageous peace they had lately concluded with the Moors, to revive their claim upon the crown of Portugal. It is certain, that uncommon preparations for war againſt Portugal were making in Spain, when the court of Liſbon applied in the moſt earneſt manner to that of England for relief.

England interpoſes.

The cauſe was too intereſting for the Britiſh miniſtry or nation to be quiet ſpectators upon this occaſion. The French, as well as the Spaniards, had of late made a great augmentation of their marine; and the Brazil fleet, in which the Britiſh nation had ſo great a concern and property, was daily expected home. Application was no ſooner made by the court of Portugal by their ambaſſador don Antonio Alzevedas in April this year, than his majeſty gave orders for fitting out a ſtrong ſquadron of ſhips of war to be ſent under ſir John Norris to protect the crown of Portugal and the effects of his ſubjects from inſults. At the ſame time, orders were ſent to Mr. Keene to intimate to the Spaniſh miniſtry his Britannic majeſty's pacific intentions, and that he was far from authorizing or encouraging his Portugueze majeſty in inſulting the crown of Spain. Theſe orders being communicated to the court of Madrid, who had intelligence of the preparations made in England, don Joſeph Patinho, the firſt miniſter of Spain, had orders to declare to Mr. Keene, that his Catholic majeſty was willing to ſuſpend the execution of every thing that had been reſolved upon againſt the court of Portugal, and to refer their differences to the deciſion of his Britannic or moſt Chriſtian majeſty. Notwithſtanding this, the Spaniſh armies making ſome motions on the frontiers of Portugal, Mr. Keene declared, that a definitive reſolution had been taken at his maſter's court to ſend a powerful ſquadron to the port and coaſts of Liſbon, to guard them from any inſult, and to protect the Brazil fleet.

Reſolution taken to ſuccour Portugal.

fleet. This produced a ſtrong remonſtrance from don Joſeph Patinho, repreſenting, that ſuch a ſtep muſt be ruinous to all the merchants concerned in the flota, which was then fitting out at Cadiz; becauſe even the report of a breach between Spain and England, would deter them from entering their goods on board it, which muſt occaſion great numbers of bankruptcies all over Europe. He added ſeveral other repreſentations to the ſame purpoſe: but all was to no effect; for ſir John Norris, on the 20th of May, hoiſted the union flag on board the Britannia, his whole fleet conſiſting of twenty-eight [a] ſhips of war. On the 27th he ſet ſail, and in twelve days after arrived at Liſbon, where he and the Britiſh fleet were received with all the honours due to the deliverers and guardians of that crown and country. The Spaniards affected a very high ſtrain of reſentment at this bold ſtep of the Engliſh court, and reinforced the line their troops had drawn upon the frontiers of Portugal, forbidding all Spa-

Geo. II. 1735.

A fleet ſent thither.

[a] Rates.	Ships.	Tons.	Guns.	Commanders.
1	Britannia,	1894	100	Sir John Norris, adm.
2	Princeſs Amelia,	1570	90	Vice-adm. Balchen,
2	Namure,	1567	90	Rear-adm. Haddock,
3	Princeſs Caroline,	1350	80	Capt. Gerlington,
3	Torbay,	1296	80	Piercy,
3	Norfolk,	1350	80	Charlton,
3	Grafton,	1113	70	Davers,
3	Captain,	1131	70	Gaddis,
3	Berwick,	1147	70	Clinton,
3	Kent,	1130	70	Davis,
3	Royal Oak,	1106	70	Selgard,
3	Hampton Court,	1137	70	Mighells,
3	Buckingham,	1150	70	Browne,
3	Burford,	1147	70	Vanbrugh,
3	Orford,	1098	70	Man,
4	Dreadnought,	931	60	Medley,
4	York,	987	60	Williams,
4	Sunderland,	951	60	Martin,
4	Defiance,	949	60	Trevor,
4	Leopard,	762	50	Warren,
4	Swallow,	711	50	Graves,
4	Warwick,	756	50	Brooke,
4	Deptford,	756	50	Cornwall,
4	Pembroke,	756	50	Hervey,
4	Litchfield,	756	50	Sir Y. Peyton,
6	Greyhound,	371	20	Ambroſe,
	Pool fireſhip,			Wallis,
	Griffin fireſhip,			Faulkner.

Geo. II. 1735. niards, under pain of death, to have any communication with that crown.

Affairs of the continent.

The people of England were highly pleaſed with this ſpirited conduct of the miniſtry; and, indeed, notwithſtanding the reſentment of Spain, it greatly contributed to reſtore the tranquillity of Europe. All parties were now heartily tired of the war, but none of them would own ſo much.

France.

Monſieur de Chauvelin, keeper of the ſeals in France, had great part of the management of the affairs of that court at this time; but his views were very different from thoſe of his colleague cardinal Fleury. Chauvelin was devoted to the views of the queen of Spain, which not being yet compleated, were far from being pacific: and therefore, with the aſſiſtance of Chauvelin, ſhe ſecretly traverſed all the plans that had been offered for accommodating the differences of Europe.

Germany.

The cardinal, on the other hand, was ſincerely diſpoſed to peace, and wanted only to bring it about, ſo as to ſave the appearance of his maſter's begging it. The affairs of Staniſlaus were now deſperate in Poland, where king Auguſtus had been recognized by the primate himſelf, and all the principal nobility, a very few excepted. In Germany, the emperor found himſelf inferior to the French, but was promiſed a powerful reinforcement by the Ruſſians, who were then actually in motion to march to his aſſiſtance, and to cover the hereditary dominions of king Auguſtus. Prince Eugene again commanded the Imperial troops upon the Rhine; but after reviewing them, he perceived he could only act upon the defenſive, and ordered them to keep within their lines, in expectation of either being reinforced by the Ruſſians, or that a ſuſpenſion of arms would take place. In the mean while, the elector of Bavaria having granted a paſſage for the Ruſſian troops through his dominions, 9,000 of them, which formed their firſt column, actually reached Heidelberg, where they were joined by prince Eugene towards the latter end of Auguſt.

Italy.

In Italy, the arms of France, Spain, and Sardinia were every where victorious; and all that the brave count Konigſeg, the Imperial general there, could do, was to reinforce Mantua, and to make the beſt retreat he could towards the biſhopric of Trent through the Venetian territories; having abandoned the fortified towns of Oſtiglia, Borgoforte, Goito, and Caſtelluccio to the armies of the allies, who took poſſeſſion of the ſame. Orbitello followed their fate, as did Mirandola,

Mirandola, after a brave reſiſtance. Don Carlos by this time had been crowned in Sicily, and had returned to Naples, where the people ſeemed to be intirely reconciled to his government. Geo. II. 1735.

Don Carlos crowned in Sicily.

Great Britain was now very formidable both by ſea and land; and his majeſty, who ſet out for his German diminions upon the breaking up of the parliament, was there continuing his unwearied endeavours for bringing about a peace. With this view, he ſent orders to Mr. Walpole, his ambaſſador at the Hague, to preſs their High Mightineſſes to come to a reſolution of augmenting their troops; which they flatly declined to do, upon pretext, that ſuch a ſtep would be very inconſiſtent with the plan of pacification that was now on foot. This anſwer was attributed to the influence which cardinal Fleury had over their deliberations; and, indeed, the whole of his conduct, at this time, was myſterious. He durſt not abſolutely approve of the plan of pacification, becauſe it had been rejected at the court of Spain; nor durſt he reject it, for fear of provoking the court of England. He therefore propoſed a middle way, in which he ſucceeded, and that was to feel the pulſe of the court of Vienna concerning a ſuſpenſion of hoſtilities. He communicated his plan to the Britiſh miniſtry, and to the States General, who approved of it, and, at his requeſt, made it their own. For the marquis de Fenelon, the French ambaſſador at the Hague, declared, that his maſter, at the preſſing inſtance of the maritime powers, was willing to agree to the ſuſpenſion of arms independent of the plan of accommodation which he affected to know nothing of. The count d'Uhlfelt, the Imperial ambaſſador, at the ſame time preſented to the deputies of the States General, a memorial in his maſter's name, importing, "That his Imperial majeſty having already given innumerable inſtances of his ſincere deſire of peace, and his confidence in the maritime powers, a late proof of which was his readineſs in accepting the plan of pacification as ſettled by the king of Great Britain and their High Mightineſſes, yet ſtill was ready to give new evidence of his pacific diſpoſition, and had accordingly inveſted him (count d'Uhlfelt) with proper powers to conſent to an armiſtice, being content that it ſhould be a general one, and that affairs in Italy ſhould remain in their preſent ſtate. But, on the other hand, inſiſting, that for the ſake of the princes of the empire, whoſe territories were expoſed to the French army, the moſt Chriſtian king ſhould withdraw his troops from the empire, thoſe in the fortified places excepted, and that negotiations ſhould be immediately commenced in a con-

Conduct of cardinal Fleury.

Armiſtice agreed to by France, and the emperor,

Geo. II. 1735. greſs upon the baſis of the plan of accommodation concerted by the maritime powers."

who threatens to attack France.

Notwithſtanding theſe condeſcenſions, the French king and court ſtill pretended, that they would ſupport the election of king Staniſlaus; but the emperor, being reinforced by the Ruſſian auxiliaries, raiſed large ſums upon the princes of the empire, and threatened to march 40,000 men to attack France upon the ſide of the Auſtrian Netherlands. This alarmed the States General, who uſed all the perſuaſions in their power, even to a loan of money, to induce him to deſiſt. But while matters thus wore the moſt warlike aſpect, meaſures were privately carrying on for an accommodation. The Britiſh miniſtry well knew, that the French king, as well as the emperor, was exhauſted of money; and that the acquiſition of Lorrain was the ultimate view of the court of Verſailles. A hint was therefore given by the Britiſh miniſter at Paris to cardinal Fleury, who underſtood it ſo well, that he immediately reſolved to try how the Imperial court really ſtood as to a peace. He determined, however, to keep his proceedings as ſecret as poſſible from all, but eſpecially from Chauvelin. With this view, he ordered Chavigny, who attended his Britannic majeſty at Hanover, to mention the affair to the Imperial miniſter at the ſame place; who reliſhed it ſo well, that an agent was directly ſent to Vienna: and it was reſolved on all hands, that the utmoſt ſecrecy ſhould be obſerved in the negotiation. It was, however, not ſo privately conducted as to be kept intirely from the knowledge of M. Van Hoey, the Dutch ambaſſador at Paris, who ſent an intimation of it to his maſters. This, together with the emperor's repeatedly declaring his reſolution to march 40,000 men into the Auſtrian Netherlands, gave a prodigious alarm to their High Mightineſſes; and their deputies invited Mr. Walpole to a conference, in which they expatiated very pathetically upon the connections between Great Britain and the United Provinces, and the neceſſity of rendering them ſtronger than ever; promiſing to be conducted in all their deliberations by the ſentiments of his Britannic majeſty.

Negotiations for a peace.

An armiſtice takes place.

But the deciſive reſolution was now taken; and notwithſtanding the obſtinacy of the court of Madrid, an armiſtice was not only concluded, but executed, between the emperor and the French in Germany, and another in Italy, upon the following terms: "That there be a ceſſation of all acts of hoſtility, as is already obſerved upon the Rhine and the Moſelle. That the ſuſpenſion of arms ſhall equally extend to

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the allies of France, till they ſhall have declared whether they accept or refuſe it." That tho' by the term, ſuſpenſion of arms, nothing is meant more than a ceſſation of hoſtilities, yet it is agreed, that the French troops ſhall retire from the banks of the Adige and the Mincio. That they remain in poſſeſſion of Goito and Borgoforte. The ſaid troops ſhall have the courſe of the Oglio, as far as its junction with the Po, for their bounds; and the Po from that place to the firſt town in the pope's territory. The troops of the two powers ſhall not penetrate within each other's limits, except when the French have a mind to relieve or refreſh the garriſon of Goito. Paſſports ſhall be granted for all boats and waggons belonging to the two armies." Geo. II. 1735-6.

This armiſtice being properly intimated, put a ſtop to the farther effuſion of blood in Germany and Italy. And in the mean while, the negotiation for a general peace went on, which alarmed the court of Madrid ſo much, that they endeavoured to gain over the king of Sardinia; who, though not the moſt powerful, was the moſt uſeful, prince in the alliance. He had great reaſon to be diſſatisfied with the court of Madrid; for, though he had had an abſolute promiſe of the Milaneſe, yet he had been refuſed it: he therefore rejected all propoſitions of a treaty with the Spaniards. About the ſame time, cardinal de Fleury informed the Spaniſh miniſter at Paris, that the obſtinacy and ambition of the court of Madrid alone, was to be blamed for all that had happened, by their injuſtice and breach of promiſe to the king of Sardinia, who was ready to have thrown himſelf into the arms of the empire, had the war continued. Court of Spain diſſatisfied.

An opportunity will be taken in the progreſs of the hiſtory of the year 1736, of ſhewing the full effect of all thoſe different cabals and negotiations, as it can then be done to much more advantage than in this place, becauſe they will there come under a more compacted view.

On the 15th of January, the Britiſh parliament met at Weſtminſter. By his majeſty's ſpeech it appeared, that the plan of pacification, entered upon by the French and the Imperialiſts, was materially the ſame that had been concerted between him and the States-General, though communicated as a new plan coming from theſe two powers. He told the two houſes, "that he had agreed to the plan, which had been communicated to the kings of France and Sardinia, and there were hopes of their agreeing to it likewiſe, upon their obtaining reaſonable ſecurity for their poſſeſſing the ſeveral countries ſtipulated to them." His majeſty then ſaid, "that Meeting of the parliament. King's ſpeech.

Geo. II. 1735-6.

"that he had already given orders for a reduction of his forces, both by ſea and land; but that he hoped they would agree to ſome extraordinary expence, till the peace of Europe was more fully ſettled;" and then he moſt pathetically exhorted them, in imitation of the two great powers of Europe, to peace and unanimity.

Proceedings in the two houſes of parliament.

In the houſe of peers it was propoſed in their addreſs of thanks for the ſpeech, to declare, "that the houſe ſees with pleaſure, in their preſent ſituation, the happy effects of the extraordinary ſupplies of late years granted by parliament; together with many congratulations upon the plan of pacification." But the earl of Strafford, who had oppoſed every peace that had been made ſince that of Utrecht, in which he had a great ſhare, was for leaving out the above words, and for appointing a day for taking his majeſty's ſpeech into conſideration, according to the antient uſage of parliament. He was ſeconded by ſeveral lords in the oppoſition, who could not believe that Great Britain was at all in the ſecret of pacification, or that her influence had at all contributed thereto; and in their opinion, they ſaid, "the peace was a very bad one for Europe, becauſe it was to leave to France the poſſeſſion of all Lorrain, by which ſhe had always ready acceſs to the empire."

The duke of Newcaſtle and the lord Hervey were againſt the affectation of reviving, upon that occaſion, an obſolete cuſtom, which they thought might inſinuate ſome diſtruſt of his majeſty, and were for going into the addreſs immediately.

Obſervations on the plan of pacification.

They obſerved, "that France, for more than a century back, had, in fact, been in poſſeſſion of Lorrain, or could poſſeſs it when ſhe pleaſed; and that therefore the plan of pacification added little or nothing to her power on that ſide." But to this it was replied, "that France before had poſſeſſion only of ſome ſtrong places in Lorrain, and that the revenues always went to its dukes, and that in peaceable times they were improvable to 500,000 l. a year, which ſhe would not fail in applying to the improvement and increaſe of her marine." In anſwer to this, it was obſerved, "that king Staniſlaus was to have all the revenues of that dutchy during his natural life, and that the garriſons, which the French would be obliged to keep up in the country, would pretty near exhauſt all its revenues. That the poſſeſſion of Lorrain was a matter of indifferency to the balance of power in Europe, however intereſting it might be to any particular prince; but that in the preſent caſe, 'volenti non fit injuria;' the preſent duke was willing, nay, deſirous, to quit ſo precarious a poſſeſ-

ſion for an independent and more valuable certainty, and that the frontiers of the empire would be no more expoſed than they were before." Geo. II. 1735-6.

At laſt, a committee being appointed, without any diviſion, to draw up the addreſs upon the motion, the ſame was approved of, and preſented to his majeſty, from whom it drew a moſt gracious anſwer. See Vol. XVIII. p. 337, 338.

Addreſs voted by the peers, and commons.

There was nothing very particular in the debate in the houſe of commons upon their addreſs, which ran as uſual in the terms of the ſpeech, and was moved for by Mr. Fox, being ſeconded by Mr. Charles Hanbury Williams, and ſpoke to by the lord Tyrconnel, who unluckily compared the plan of pacification to a fine landſcape of the morning, painted by Claude Lorrain. This brought upon his lordſhip ſome ſarcaſms from the wits of the other party; while the reaſoners teſtified their diſlike of the manner of reducing the forces by private men, and not by regiments. They obſerved, "that a regiment of 815 men coſt the public yearly 15,217 l. but if 815 private men are reduced, the pay ſaved to the public, amounts to no more than 7,427 l. That if 8000 in whole regiments were to be reduced, the public would ſave 149,369 l. a year; but if the ſame reduction was to be made of private men, the ſaving to the public would be but 73,000 l. yearly."

As this argument was thought to be premature, and as no amendment had been offered to the motion for the addreſs, the ſame was voted without any diviſion, though it was one of the fulleſt and moſt loyal of any that had appeared of late years, and accordingly met with a moſt gracious anſwer.

Of all the numerous petitions in matters of election for members, that had been left undetermined laſt ſeſſion of parliament, none engaged the public attention ſo much, as that of Sir Rowland Winn, againſt ſir Miles Stapleton, for the county of York; and of ſeveral freeholders of the county of Norfolk, in behalf of William Coke, eſq; and William Morden, eſq; againſt ſir Edmund Bacon, bart. and William Wodehouſe, eſq. Both thoſe petitions were thought to be ſupported by the intereſt of the miniſter, but if they were, it is certain it did them no ſervice. The Yorkſhire petition was voted to be heard at the bar of the houſe on the 24th of February, and from the number of the voters, and the evidences concerned, it was thought it could not be diſcuſſed in leſs than two ſeſſions. But in order to facilitate diſpatch as much as poſſible, it was moved, "that the petitioners or their agents give to the ſitting-member or his agents, liſts of Contested elections. Reſolution thereupon.

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Geo. II. 1735-6.

the perſons objected to, with the ſeveral heads of objections, diſtinguiſhing the ſame againſt the names of the voters excepted to; the like liſts to be given to the petitioners or their agents by the ſitting-member."

Novi 29. 11mo. Wil. Regis. Jan. 18. 9. Annæ Reginæ.

This method, which had its foundation in precedents, was ſo much approved of, that after making a great many amendments, and ſurmounting a great many difficulties, the houſe made the reſolution general, in the following terms:

"That in all caſes of controverted elections for counties in England and Wales, to be heard at the bar of this houſe, or before the committee of privileges and elections, the petitioners do by themſelves, or by their agents, within a convenient time to be appointed, either by the houſe, or the committee of privileges and elections, as the matter to be heard ſhall be before the houſe, or the ſaid committee, deliver to the ſitting-members or their agents, liſts of the perſons intended by the petitioners to be objected to, who voted for the ſitting-members; giving in the ſaid liſts, the ſeveral heads of objection, and diſtinguiſhing the ſame againſt the names of the voters excepted to; and that the ſitting members do by themſelves, or by their agents, within the ſame time deliver the like liſts, on their part, to the petitioners or their agents." It was then ordered, that, in the affair of the Yorkſhire election, the ſaid liſts be delivered in by that day three weeks; and on the 19th of January the like liſts were ordered to be delivered in a month in the Norfolk election; but all this was not done without great debate; in which the miniſter as often loſt, as gained the queſtion.

Eſtimate for 1736.

The eſtimate of the ordinary of the navy this year amounted to 217,269 l. 4 s. 10 d. beſides 10,000 l. for Greenwich hoſpital. The eſtimate for the land forces was 649,276 l. 2 s. That of the land-ordnance was 79,760 l. 3 s. 9 d. Beſides 4,591 l. 1 s. 8 d. for ordnances and ſtores ſent by his majeſty's order in council to Barbadoes and the Leeward Iſlands, for which no allowance had been made by parliament, and 5,001 l. 8 s. 7 d. ¾ deficiency aroſe upon account of victualling Gibraltar, to be provided for by parliament. The debt of the navy, under the following articles, viz. wear, tear, and extraordinary repairs, ſeamens wages, victualling debt, ſick and hurt, amounted to 491,361 l. 9 s. 8 d. The eſtimate of the buildings, re-buildings, and repairs of ſhips, amounted to 60,167 l. The eſtimate of the charge of his majeſty's forces in the plantations, Minorca, and Gibraltar, amounted to 216,228 l. 10 s. 11 d. and for the out-penſioners of Chelſea-hoſpital, to 24,518 l. 10 s.

On

On the 26th of January, these estimates and the other papers being referred to a committee of supply, they came to a resolution of employing 15,000 seamen for the current year. This resolution met with little or no opposition, only Mr. Plummer was pleased to say, "that Great Britain, far from being able to pay subsidies, was poorer than the poorest prince in the North, and that the ministry ought to make a demand of a subsidy upon the crown of Portugal, for the expensive fleet that had been sent to Lisbon." This sneer, however, losing its effect, the resolution was agreed to. Geo. II. 1735-6. 15,000 seamen voted.

But upon the 28th of the same month, when the ordinary estimate of the navy was presented to the house, the gentlemen in the opposition renewed their motion of last year, that it should be referred to the consideration of a select committee. The arguments, both for and against the motion, differed little from what were urged last year, therefore it is sufficient to say, that the question being called for, a negative was put upon the motion, by a majority of 256 against 155 [a], and the house then went into a committee of supply. Motion for a select committee.

Little opposition was made to the supplies granted; but when they were agreed to by the house, a motion was made, "that an humble address be presented to his majesty, to acquaint him with the readiness, wherewith his faithful commons have agreed to the continuance of that extraordinary expence, which he hath thought necessary in the present juncture; in which resolution they have concurred with the greater chearfulness and willingness, as a suitable and grateful return to his royal goodness, in ordering so considerable a reduction of his forces both by sea and land, as soon as the present posture of affairs would permit; and in full confidence, that it is his royal intention, as soon as there shall be a more perfect reconciliation among the several powers of Europe, to make such further reduction of his forces, as may be consistent with the security and dignity of his majesty's royal person and government, and with our present happy constitution; not doubting but that, from his fatherly compassion to his people, he will be graciously pleased to direct, that whatever land-forces shall hereafter be thought necessary, be established in such a manner, as shall make the saving more sensible, and the future burthen less grievous to the nation." This motion produced a long debate, but no division; for it passed in the negative. Motion for an address; rejected.

[a] Mr. William Pitt was a teller in the minority upon this division.

On

Geo. II. 1735-6.

On the 3d of February, purſuant to an addreſs from the houſe of commons, an account was preſented at the bar, ſhewing how the money given for the ſervice of the year 1735, had been diſpoſed of; by which it appeared, that there was a deficiency of ways and means of 21,096 l. 9 s. 8 d. Such kind of deficiencies, which, from the variety of public buſineſs, and unexpected exigencies, became now very frequent, and ſtill increaſed the burthen or the debts of the public, gave great apprehenſions to ſeveral well-meaning perſons, and many ſchemes were now formed for eaſing the national debt, by reducing the intereſt of money upon all the redeemable funds. The whole debt of the nation, as it ſtood at Chriſtmas 1735, was 47,938,298 l. 3 s. 3 d. ½. The annual intereſt upon the ſame, amounted to 2,018,701 l. 1 s. 4 d. The miniſter was ſenſible of the wiſdom and expediency of this meaſure, which was capable of demonſtration, but the juncture would not allow of its being carried into execution. The preſs, however, groaned with writings upon this ſubject, and the gentlemen in the oppoſition knowing the difficulties that the miniſtry was under, never left haranguing in the houſe of commons, upon a topic, where they had all the field to themſelves.

Deficiency in ways and means.

Scheme for reducing intereſt.

Debt of the nation.

Marriage of the prince of Wales.

The attention of the public, however, was greatly diverted at this time, by an event of the utmoſt importance to the happineſs of Great Britain, the marriage of the prince of Wales. Their majeſties, after the moſt mature deliberation, could find no match in Europe, either for antiquity of blood, eminency of family, or merit of perſon, equal to the princeſs of Saxe-gotha, ſiſter to the reigning duke, and a proteſtant. The preliminaries being ſettled, lord Delaware was ſent in the beginning of March to that court to demand the princeſs in marriage for his royal highneſs the prince of Wales. And on the 25th of April following, he brought her to Greenwich, where ſhe was waited upon by his royal highneſs, and on the 27th of the ſame month, the marriage ceremony was celebrated. This expedition was owing to the deficiency of the laws of precedency in England, which had not ſettled the rank of the princeſs, before ſhe became the princeſs of Wales. The nation in general was highly pleaſed with this marriage. The lord-mayor and aldermen of London took the firſt opportunity of making their compliments upon this occaſion, and were received by his royal highneſs in a manner equally cordial and polite.

The

The two houſes of parliament diſtinguiſhed themſelves upon the ſame occaſion; and the houſe of commons, on the 29th of April, reſolved, nemine contradicente, "That an humble addreſs be preſented to his majeſty, to congratulate his majeſty upon the nuptials of his royal highneſs the prince of Wales; and to expreſs the ſatisfaction and great joy of his faithful commons on this happy occaſion, which they look upon with unſpeakable comfort, as the means, under the divine providence, of giving an additional ſtrength to the proteſtant intereſt, and of ſecuring to all future ages, the laws and liberties of this nation, in the full manner we now happily and thankfully enjoy them, under the protection of his majeſty's juſt and mild government over his people." The houſe came to the like reſolution with regard to her majeſty and their royal highneſſes the prince and princeſs of Wales. The like proceedings were held in the houſe of peers. Geo. II. 1735-6. His majeſty congratulated upon the nuptials of the prince of Wales.

While thoſe congratulations were under deliberation in the houſe of commons, two mirrors of eloquence diſplayed themſelves on that occaſion, Mr. afterwards lord, Lyttelton, and Mr. William Pitt, afterwards one of his majeſty's principal ſecretaries of ſtate. The former, in ſome parts of his ſpeech, ſhewed how well he had ſtudied Cicero, particularly in his celebrated compliment to Cæſar, upon his pardoning Marcellus; but notwithſtanding the whole of it was one continued, though juſt, panegyric, upon their royal highneſſes, it contained ſeveral ſevere glances againſt the miniſter. The ſpeech of the latter is unmixt with any ſtrain, but that of declamation; and we have few models of antiquity, more perfect in that kind, it being more ornamented than the declamations of Demoſthenes, and leſs diffuſed than thoſe of Cicero. Mr. Lyttelton's and Mr. Pitt's ſpeeches.

This ſeſſion produced another motion for raiſing the ſupplies within the year, but a negative was put upon it, without any diviſion.

On the 20th of February, came a petition before the houſe of commons, from his majeſty's juſtices of the peace for the county of Middleſex, ſetting forth, "That the drinking of geneva, and other diſtilled ſpirituous liquors, hath, for ſome years laſt paſt, greatly increaſed, eſpecially among the people of inferior rank; and that the conſtant and exceſſive uſe thereof hath already deſtroyed thouſands of his majeſty's ſubjects, and renders great numbers of others unfit for uſeful labour and ſervice, debauching at the ſame time their morals, and driving them into all manner of vice and wickedneſs; Petition againſt drinking geneva.

and

Geo. II. 1735-6. and that this pernicious liquor is now ſold, not only by diſtillers, and geneva-ſhops, but by many other perſons of inferior trades; by which means, journeymen, apprentices, and ſervants, are drawn in to taſte, and, by degrees, to like, approve, and immoderately drink thereof; and that the petitioners apprehend the public welfare and ſafety, as well as the trade of the nation, will be greatly affected by it; as this practice is dangerous and miſchievous to the health, ſtrength, peace, and morals, and tends greatly to diminiſh the labour and induſtry of his majeſty's ſubjects: and therefore praying, that the houſe will take the premiſes into their ſerious conſideration, and apply ſuch remedy, as the houſe ſhall judge moſt proper."

This petition being referred to a committee, on the 24th ſir Charles Turner reported from it the following reſolutions, which were moved for by ſir Joſeph Jekyll.

Reſolutions concerning the ſame.

"That the low price of ſpirituous liquors, was the principal inducement to the exceſſive and pernicious uſe thereof. That in order to prevent the exceſſive and pernicious uſe of ſpirituous liquors, a diſcouragement ſhould be given thereto, by a duty to be laid on all ſuch liquors by retail. That the vending, bartering, or uttering, the ſaid liquors, ſhould be reſtrained to perſons keeping publick brandy ſhops, victualling-houſes, coffee-houſes, alehouſes, and innholders, and to ſuch apothecaries and ſurgeons, as ſhould make uſe of the ſame by way of medicine only. That no perſon, keeping a publick brandy-ſhop, a publick victualling-houſe, coffee-houſe, or alehouſe, or being an innholder, ſhould be permitted to vend, barter, or utter, the ſaid liquors, but by a licence, with a duty payable thereupon."

It was plain from thoſe reſolutions, that the alterations neceſſary to be made, might occaſion either new duties or alterations in the old ones, and therefore it was proper the report ſhould be referred to a committee of ways and means, which accordingly was done; and on the 8th of March, the following reſolutions were moved for.

Reſolutions in the committee of ways and means.

"That all ſpirituous liquors, which any retailer thereof ſhould, from and after the 24th day of June, 1736, be poſſeſſed of, there ſhould be granted to his majeſty, a duty of twenty ſhillings per gallon. That from and after the 24th of June, 1736, the ſum of fifty ſhillings yearly, ſhould be paid to his majeſty, for a licence to be taken out yearly for every perſon keeping a public brandy-ſhop, a public victualling-houſe, coffee-houſe or alehouſe, or being an innholder,

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who ſhall vend, barter, or utter any ſuch ſpirituous liquors." And on the 17th of March the following reſolutions were moved for: Geo. II. 1735-6.

"That the duty and revenue, which ſhould ariſe by licences for vending brandy or ſpirits, as alſo the preſent duties on low wines, ſtrong waters, brandy, rum, arrack, and all other ſpirits whether foreign or Britiſh, and ſuch duties as ſhould ariſe by retailing the ſame, ſhould be united to, and made part of the general or aggregate fund eſtabliſhed by the act of the firſt of king George I. and ſhould be iſſued and applied to the uſes to which the ſaid fund is, or ſhould be made applicable.

"That all the ſeveral annuities, payments, and appropriations which were then charged upon, and payable out of, the ſaid ſeveral duties on ſtrong waters, brandy, rum, arrack, or any other ſpirits, ſhould be charged upon and made payable out of the ſaid aggregate fund."

Some plauſible reaſons againſt the high duty laid in the firſt reſolution were urged by the gentlemen in the oppoſition. Mr. P. was for reviving the act againſt geneva, and extending it to all home-made ſpirits, by which the common people would be deprived of the means of getting drunk at a ſmall expence; and for obliging every perſon retailing ſpirituous liquors to take out a licence. He obſerved, that the duty was equal to a prohibition, and that it extended to rum, which might prove of the very worſt conſequence to our ſugar iſlands, which were already in a declining condition. He ſaid, "that many thouſands depended for their livelihood upon the Britiſh diſtillery, and that it was abſurd to argue againſt the uſe of a thing from the abuſe of it." Oppoſition to them.

It was argued on the other hand, "That nothing but the extreme danger of the public from the abuſe of ſpirituous liquors of all kinds, could have prevailed with gentlemen to come to the reſolutions propoſed. That they were very ſenſible of the difficulties to which great numbers of his majeſty's ſubjects would be reduced by the duties to be laid upon the retail of ſuch liquors; but the intereſt of every particular man muſt give way to the general intereſt; and where the preſervation of the ſociety was ſo viſibly and ſo eſſentially concerned, the prejudice that ſome few particular perſons might ſuffer was not to be regarded. However, that all poſſible care would be taken of thoſe that might any ways ſuffer by the duties to be laid on the retail of ſpirituous liquors, in order that they might be enabled to fall upon ſome other way of ſupporting their families; and as every one would be convinced Anſwered.

Geo. II. 1735-6.

convinced that their being turned out of their preſent way of ſupporting their families, was become neceſſary for the public good of their country, and for the preſervation of the people in general, it was to be preſumed that every man would willingly ſubmit to ſuch a regulation, ſo that it could not raiſe any diſſaffection to his majeſty's perſon or government, nor could it produce any riots or tumults. That with reſpect to rum and brandy, it was very certain that they likewiſe had been often drunk to a very great exceſs, notwithſtanding the high duties laid upon them, and were as pernicious both to the health and morals of the people as any home-made ſpirit. That it would be ridiculous to lay a higher duty upon home-made ſpirits, which were the manufacture of the ſubjects of this iſland, than upon rum or brandy, eſpecially the latter; and that if our ſugar iſlands ſhould ſuffer a little by our leſſening the conſumption of rum, they could not complain, when they conſidered that it was for the ſake of preſerving their mother country, the general intereſt of which was always to be preferred to the particular intereſt of any colony: for if any ſort of ſpirit ſhould be exempted from the duties then to be impoſed, the retailers would ſell all ſorts of ſpirits under that denomination, and the diſtillers would compound them in ſuch a manner, that it would be impoſſible to diſcover the fallacy. That they would willingly agree to the method propoſed by the honourable gentleman, of laying on but a ſmall duty at once, and raiſing that duty by degrees; but they were very ſure the laying on a ſmall duty, would not be an effectual remedy for the evil ſo loudly complained of: and if the ſpirit which was then in the nation againſt all ſorts of diſtilled ſpirituous liquors, ſhould be allowed to ſubſide, they were afraid they would never be able to get any new act paſſed for raiſing that duty; becauſe of the multitude of people that would always be engaged by their own private intereſt to oppoſe the paſſing ſuch a law: therefore they thought it was abſolutely neceſſary to take the advantage of the preſent conjuncture, in order to put an effectual ſtop to a practice which had been ſo long and ſo juſtly complained of, and for that reaſon they were for agreeing to the motion."

Farther proceedings on the gin act.

Such were the arguments for and againſt this famous meaſure, which at that time quite ingroſſed the public attention; and certainly nothing but the extreme neceſſity of preſerving the very ſpecies of Engliſhmen amongſt the lower ranks of people, could have juſtified it. The reſolution, however, was agreed to without any diviſion, as were the other three we have

have already mentioned, at ſeparate times, and after great debate; and a bill was accordingly ordered in. But ſir Robert Walpole, in the mean while, ſtarted a difficulty which had not been foreſeen. When the maſter of the rolls moved for his reſolutions in the committee, ſir Robert obſerved, "that the duties propoſed to be laid upon ſpirituous liquors, muſt neceſſarily diminiſh their conſumption, and conſequently the duties upon them, many of which ſtood appropriated for anſwering certain annuities and payments, particularly to the civil liſt; and therefore, it would be neceſſary to conſider of ways and means to make ſuch deficiencies good." At the ſame time it appeared, that at leaſt 70,000 l. a year went to the civil liſt from the duties upon ſpirituous liquors. This conſideration gave riſe to the two reſolutions of the 17th of March in the committee of ways and means: but they produced great debates. It was ſaid, that the crown could be no ſufferer by the propoſed duty, becauſe it muſt increaſe the conſumption of beer, ale, and wine, and conſequently increaſe the produce of the licences for ſelling them. Many ſevere things were ſaid on this head. The miniſter was repreſented as being willing that people ſhould be poiſoned, rather than he ſhould not make a lucrative job; and that he would ſink into his own and his friends pockets all the increaſe upon the duties ariſing from beer, ale, and wine. But the houſe, at leaſt the diſpaſſionate part of it, was far from paying any regard to thoſe invectives. It was plain that all the miniſter deſired was, that there ſhould be ſome certain fund allotted for anſwering the indiſpenſible neceſſities of the government; and that if there did ariſe an increaſe of the exciſe upon beer and ale, an account of the ſame might be called for, and the increaſe replaced to the aggregated fund in lieu of the money taken from it to make good the deficiency of the duty upon ſpirituous liquors. And thus, if the increaſe ſo much ſpoken of, of the duties upon wine and ale ſhould be as great as repreſented, the aggregated fund could not ſuffer by making it a bank for ſupplying the indiſpenſible exigencies of government. Such were the principal heads of this debate, which ſoon took another turn. For the oppoſition pretending to acquieſce in the miniſter's reaſoning, ſaid, that it was then highly neceſſary that the late produce of the hereditary and temporary exciſe ought to be aſcertained, that the future increaſe which may happen on the duties to be laid upon beer and ale may be preciſely known, and appropriated to the aggregated fund. With this view a motion was made, that on Monday the 22d of

Geo. II. 1735-6.

Debates upon the ſame.

Motion from the oppoſition.

Geo. II. 1736. March, the commiſſioners of the exciſe ſhould lay before the houſe an account of the neat produce of the hereditary and temporary exciſe from Midſummer 1716, to Midſummer 1726, diſtinguiſhing each year, and the produce of the ſeveral duties belonging to the exciſe. But this motion, as being highly improper at that time, was thrown out, upon a diviſion of 181 againſt 122.

thrown out. Journals of the houſe of commons.

So great an alteration in a capital branch of the revenue, could not but engage the attention and concern of many intereſted in its conſequences. On the 29th of March, the maſter of the rolls, who had acted with great zeal through the whole affair, preſented to the houſe, according to order, a bill for laying a duty upon the retailers of ſpirituous liquors, and for licenſing the retailers thereof: and the ſame being received, Mr. Chancellor of the exchequer ſtood up, and, by his majeſty's command, acquainted the houſe, "That as the alterations propoſed to be made by that bill in the duties charged upon all ſpirituous liquors, might, in a great degree, affect ſome part of his majeſty's civil-liſt revenues ariſing from the ſame, his majeſty, for the ſake of remedying ſo great an evil as was intended by that bill to be prevented, conſented to accept any other revenue of equal value, to be ſettled and appropriated in lieu of his intereſt in the ſaid duties."

Meſſage from the throne.

The houſe acquieſced in this propoſal; and the bill being read a firſt time, was ordered to be read a ſecond; but being moved for to be printed, a negative was put upon the motion upon the 31ſt of March. The bill having been read a ſecond time, was committed to a committee of the whole houſe for that day ſe'nnight; but on the 6th of April a petition againſt it was preſented on behalf of the merchants and planters trading to, and intereſted in, the Britiſh ſugar colonies in America; ſetting forth, that if the bill ſhould paſs, it would bring, as the petitioners apprehended, unavoidable ruin on the ſugar colonies, though the evil complained of did not ariſe from the conſumption of the commodities imported from the ſaid colonies; and repreſenting to the houſe a ſtate of their caſe with regard to the conſumption of ſugar, molaſſes, and rum, as it would be affected by the bill brought in upon the ſaid reſolutions; in full aſſurance, that the wiſdom of the legiſlature would find means effectually to ſuppreſs the evils occaſioned by the exceſſive uſe of ſpirituous liquors, without deſtroying the ſugar trade, upon which the ſubſtance of ſo many thouſands of his majeſty's ſubjects depended; and therefore praying, that the petitioners might

The bill ordered to be committed.

Petition of the Weſt-India merchants againſt it.

might be heard by themſelves or their counſel, againſt ſo much of the ſaid bill as they conceived might extend to their prejudice, or affect the Britiſh ſugar trade. Geo. II. 1736.

Character of the Weſt-India merchants.

The Weſt-India merchants were a body of people that of all others the miniſter had the leaſt inclination to imbroil himſelf with. They generally concerned themſelves very little with politics, but ſtuck to the party which they thought were moſt in their own intereſt. The preſent was an alarming ſtep to them; and many of them being members, a very ſmart ſtruggle was made that the ſaid petition ſhould be referred to the conſideration of the whole houſe, to whom the bill was committed; and that the petitioners, if they thought fit, ſhould be heard by themſelves or their council before the committee, according to the prayer of their petition. But the miniſter had now reſolved upon this meaſure, and it had gone too far to admit a farther debate. It was urged, that the bill was now become a money bill, and that the forms of the houſe did not admit of any council being heard againſt it. A great number of precedents were read both for and againſt this opinion. The friends of the petition urged, that the refuſing to hear petitions againſt money bills, only took place when ſuch bills were to raiſe money for the current ſervice of the year; in which caſe it was unreaſonable that the public ſhould ſuffer through the ſuggeſtions of petitions. But that the preſent bill was not of that kind; and that the petitioners were too uſeful a body to the kingdom to be denied the prayer of their petition. But, to this, it was anſwered, that the bill depending was to all intents and purpoſes a money bill; and that whatever precedents had been read in regard to the petition, they certainly went upon a wrong principle; and that the diſadvantages ariſing from hearing petitions of that kind, had been by experience found to be attended with ſuch inconveniencies, that the houſe had come to a general reſolution to hear no more of them. It was ſaid, in favour of the petition, that the legiſlature ought to be extremely tender in making alterations in a trade in which the nation had ſuch powerful rivals as the French were. But, to this, it was replied, that they ought, without doubt, to be extremely cautious in making any regulation which might diſcourage our ſugar trade, or our ſugar colonies; but neither that trade, nor any of thoſe colonies, could be of any weight when put in the ballance againſt the health and the happineſs of the people of Great Britain: and if, for the preſervation of the health and the morals of the people of Great Britain, they found themſelves

Precedents read in regard to their petition.

Debates upon it.

Geo. II. 1736. under a neceſſity of making a regulation which might leſſen the conſumption of ſugar among the people of this iſland, they muſt fall upon ſome way of giving an encouragement to that trade with reſpect to foreign markets, which would be a greater advantage to the nation, and would prevent the ruin of our own people. But for this purpoſe they had no occaſion for hearing the petitioners by themſelves or their council; becauſe as every one of them had a repreſentative in that houſe, they might communicate their thoughts upon that ſubject to their ſeveral repreſentatives, by which means the houſe would be as fully informed of what they had to ſay, as if they were to be heard by themſelves or their council at the bar: and therefore as the granting them any ſuch hearing would be taking up the time of the houſe to no purpoſe, they could not but be againſt it. Upon this the petition was ordered, without any diviſion, to lie upon the table; as was a petition to the ſame effect from the maſter, wardens, aſſiſtants and commonalty of the ſociety of merchants adventurers within the city of Briſtol, under their common ſeal.

Ordered to lie upon the table.

Petition from Liverpool, and its contents.

On the 7th of April the houſe in a committee made a further progreſs in the bill; and on the 8th, a petition of the merchants and owners of ſhips trading from the port of Liverpool in the county palatine of Lancaſter, to and from the Britiſh ſugar colonies in America, was preſented to the houſe and read; ſetting forth, that the greateſt and principal branch of their trade conſiſted in exportation of manufactures, the produce of Great Britain, to our colonies in America, and bringing Muſcovado ſugars in return for the ſame; three fourth parts of which ſugars could not be conſumed without being firſt refined, and two-fifths when refined were drawn into molaſſes, whereof near two-thirds were diſtilled into ſpirits; and that if the bill brought upon ſeveral reſolutions of the houſe, in order to lay a duty of 20s. a gallon upon all kind of ſpirituous liquors retailed within this kingdom, rum from his majeſty's plantations not excepted, ſhould paſs into a law, the greateſt conſumption of refined ſugars would be entirely loſt, and rum, which is near a fourth part in value of the produce of our ſugar colonies, would alſo be rendered of little or no value, and two-thirds of the molaſſes produced from refined ſugar, muſt become uſeleſs, to the inevitable ruin of our ſugar plantations, and deſtruction of the two moſt valuable branches of our ſugar trade to the Britiſh colonies and the coaſt of Africa; and therefore expreſſing their hope, that the legiſlature would not hazard ſo beneficial a trade to cure an evil that never would have happened

pened from rum or any other liquor of that value, but would be able to find means effectually to ſuppreſs the ſame, without extending ſuch means to any of the liquors that were diſtilled from the produce of our own plantations; and praying that the houſe would be pleaſed to take it into conſideration, and give ſuch relief therein as the houſe ſhould find moſt meet." This petition was likewiſe ordered to lie upon the table. Geo. II. 1736.

The committee then took into conſideration, whether it was not juſt to enable perſons who had been brought up regularly to the buſineſs of diſtilling, or had exerciſed it for a time limited, to exerciſe and follow any other trade or buſineſs in any city, town, or place in England. But great exceptions were taken by the gentlemen in the oppoſition at making the new duties upon ſpirituous liquors part of the general fund. They thought there was no occaſion for this; becauſe the deficiency in the former duty would be but ſmall, and might be replaced every next ſeſſion of parliament. This argument, in fact, was urged againſt the government having any recourſe to the aggregate fund for making up the deficiencies of the civil liſt. But the gentlemen in the adminiſtration, from the nature of public credit, ſhewed, that public buſineſs could not be done without eſtabliſhing a certain fund in place of that which had been weakened. Clauſe in favour of the diſtillers.

But the great ſtreſs of the debate upon this bill lay in the clauſe which, after rehearſing the loſs which his majeſty muſt ſuffer from the impoſition of the new duties, unleſs prevented by the bill, enacted, That from and after the 29th of September 1736, there ſhall be paid to his majeſty, during his natural life, out of the monies of the ſaid aggregate fund, a ſum which was left blank. The filling up this blank was the ſubject of the debate. The miniſtry undeniably proved from the papers before the houſe, that the ſum amounted at a medium to 70,000 l. a year; but the gentlemen in the oppoſition were for filling up the blank with 43,000 l. a year. This produced a long, and, indeed, in the periodical collections of the times, a voluminous debate. Debate upon the loſs ariſing to the revenue being charged upon the aggregate fund.

They who were for the ſmaller ſum inſiſted upon the medium of 70,000 l. to be over-rated, becauſe of the great general rage for drinking ſpirituous liquors, and the glut of French and Flemiſh brandy that had come into England during the eight years from which the medium was computed. But the gentlemen in the adminiſtration thought that his majeſty had as good a right to all the exceedings of the 800,000 l. a year, as he had to the ſum itſelf; and therefore, if there was 70,000 l. propoſed.

Geo. II. 1736. an exceeding, it ought to be made up to the crown by the new eſtabliſhed fund, as much as if there had been a deficiency in the 800,000 l.

This reaſoning was anſwered by ſuppoſing, whether the legiſlature, inſtead of impoſing a high duty upon ſpirituous liquors, had eſtabliſhed certain penalties upon all people who got drunk; and ſuppoſing that thoſe penalties had ſo good an effect as to diminiſh the conſumption of ſtrong liquors, whether it would then have been reaſonable that this diminution of the revenue ſhould have been made up by the parliament to his majeſty. A great deal likewiſe was ſaid upon the head of exceedings; and it was attempted to be ſhown, that provided there was no deficiency in the 800,000 l. a year granted to his majeſty, the crown had no manner of right to interfere with any meaſure which the parliament might think proper for the health and benefit of the people. They attempted to ſhow, that the civil-liſt revenue, inſtead of being diminiſhed, would be a gainer of at leaſt 15,114 l. a year by the propoſed duty. But to all this reaſoning it was anſwered, that the produce calculated upon was very uncertain; and that the proportion between the increaſe and decreaſe of the exciſe upon beer and ale, and the increaſe or decreaſe of the duty upon ſpirituous liquors, does not always hold, nor, that in fact, do they depend upon one another. "In the year 1729," ſaid ſir Robert Walpole, "the duties on the latter produced but 104,373 l. whereas in the year 1735 they produced 154,094 l. from whence we ought to conclude, that the produce of the exciſe on beer and ale, was much higher in the year 1729 than in the year 1735; yet we find, that in 1729 the exciſe produced but 963,763 l. and that, in the year ended at Midſummer laſt, 1735, it produced 1,021,370 l. which is 57,607 l. more than it produced in 1729."

Calculations.

After this and a variety of reaſonings and calculations, moſt of them uncertain, the queſtion was put, for filling up the blank with 43,000 l. but was carried in the negative upon a diviſion, by a majority of 211 againſt 109; and then the filling up the blank with 70,000 l. paſſed without a diviſion. But when this reſolution of the committee came to be reported to the houſe on the 14th of April, a propoſition was made for altering the clauſe, that if the whole hereditary and temporary exciſe ſhould, in any one year after that time, fall ſhort of what it had produced upon a medium to be computed from his majeſty's acceſſion to that time, that deficiency ſhould be made good the very next ſeſſion of parliament.

Diviſion.

A

A long debate followed upon this propoſition; but being of little or no importance to the preſent time, it is here omitted. The ſum of the queſtion between the two parties was, whether in caſe of a deficiency ariſing to the civil-liſt by the propoſed amendment, the public was obliged to make it good? The miniſterial party thought that it was; and the anti-miniſterial, that it was not. A diviſion happened, however, upon the report and the amendments, which went in favour of the miniſtry by a majority of 183 againſt 110. Geo. II. 1736. Another upon the ſame bill.

On the 16th of April, when the reſt of the reports and amendments were taken into conſideration, ſome of the oppoſers of the bill ſhewed of what pernicious conſequence it muſt be to the ſugar colonies, if the drinking of punch was to be prohibited under that bill. It was attempted to be proved, that it would ſo effectually diſcourage them, as to force many of the ſugar planters to take refuge in the French iſlands, where abundance of ground could be ſpared to them, and where they would be received with open arms. The ſame gentlemen added, that the prohibition of punch would infallibly increaſe the conſumption of wine, to the benefit of the natural enemies of the commerce of Great Britain. A clauſe was therefore offered to be added, for exempting from the ſaid duty ſpirits to be made into the liquor called punch, to be retailed and conſumed in licenced public houſes, mixed with two-third parts water at leaſt, and ſold in a certain quantity, and at a certain price. Arguments in favour of punch drinking.

In anſwer to the arguments for this clauſe, it was ſhewn, that if admitted, it would render the whole of the bill, and all that the houſe had taken ſo much pains in doing, ineffectual; becauſe, under the pretence of punch, all the abuſes of ſpirituous liquors would be continued. The importance of the ſugar colonies, and the diſcouragements they lay under, were readily acknowledged; and it was ſaid, that nothing could have induced the friends of the bill to have carried it ſo far, but the abſolute neceſſity of preſerving the mother-country from ruin. They added, that the encouragement which would be given to drinking wine by prohibiting punch, would fall chiefly, if not wholly, upon Portugal wines, which was a beneficial branch of trade to the kingdom. But all this did not ſatisfy the gentlemen in the oppoſition, who admitted, that ſhould the clauſe propoſed be added to the bill, it would, like Saul, kill its thouſands: but ſhould the bill paſs without the clauſe, it would, like David, kill its ten Arguments againſt it.

Geo. II. 1736. thouſands; becauſe it would deſtroy the ſugar trade, and conſequently by that one blow ruin the nation. The queſtion, however, being called for, the clauſe was rejected by a majority of 203 againſt 98; and on the 20th of April the bill having paſſed without a diviſion, it was carried up to the houſe of peers by ſir Charles Turner.

The bill paſſes the houſe of commons,

The ſenſe of the commons, during the progreſs of the bill through their houſe, being clearly that it was to all intents and purpoſes a money-bill, the lords found themſelves under the neceſſity of either rejecting it entirely, or paſſing it without an amendment. The enormous danger which the bill was meant to prevent, determined them to the latter, in hopes that by next ſeſſion of parliament ſome method might be found out to give eaſe and relief to the ſugar iſlands. Some lords, for that reaſon, were inclinable to hear council upon a petition preſented by the ſugar planters, becauſe they thought that thereby their grievances would be better underſtood. But this being diſagreeable to the majority of the houſe, the petition was ordered to lie upon the table, and the bill paſſed both houſes.

and of peers.

Papers laid before the houſe.

During the long dependency of this bill, which in the ſhape it firſt paſſed in, was far from being compleat or effectual, ſeveral matters of great moment paſſed in the houſe of commons. On the 25th of February, purſuant to an addreſs to his majeſty for that purpoſe, colonel Bladen laid before the houſe,

Journals of the houſe of commons.

"The amount of money raiſed in the iſlands of Barbadoes, St. Chriſtopher's, Antigua, Nevis, and Montſerat, by duties on importation or exportation, or any other taxes, paid by the inhabitants of thoſe iſlands for ten years, diſtinguiſhing each year and each iſland."

"Repreſentations and letters to the ſecretaries of ſtate ſince March 25, 1715, relating to the trade and commerce of the plantations, and the danger they are in from the growing power of the French."

"An account of what laws were in force in the colonies in America, March 25, 1731, and ſince paſſed, laying duties on the trade and ſhipping of this kingdom; what has been done by the board of trade for repealing any of them, and what inſtructions the governors have had thereupon."

"An account of what duties are payable, by any acts of the plantations, on the importation or exportation of negroes, wines, or any goods or merchandize, and ſhipping, diſtinguiſhing each duty, and each colony."

"Liſts

"Liſts of repreſentations, memorials, and letters to the board of trade, ſince March 25, 1725, relating to Spaniſh depredations." Geo. II. 1736.

The uſual eſſays, with the uſual ſucceſs, were this year made for a penſion-bill, and other conſtitutional acts, for ſecuring the independency of parliament: but the nation ſeemed very little concerned at their miſcarrying. On the 27th of February, the houſe being reſolved into a committee of ſupply, a motion was made, "That towards raiſing the ſupply granted to his majeſty, his majeſty ſhould be enabled to borrow of any perſon or perſons, bodies politic or corporate, any ſum or ſums of money, not exceeding 600,000 l. at an intereſt, not exceeding three pounds per cent. per annum, by loans, to be charged upon the ſurpluſſes, exceſſes, or overplus monies, commonly called the ſinking fund, redeemable by parliament. Farther proceedings of the commons. Clauſe for borrowing 600,000 l.

The miniſtry pleaded the relief of the landed intereſt, as an apology for this motion; adding, "that the neceſſary expences incurred by the nation and government, had been of late greater than uſual: they urged likewiſe the abſolute uncontroulable right the parliament had to diſpoſe of the ſinking fund yearly, to ſuch purpoſes, as they ſhould think moſt for the benefit of the nation in general: the inconveniency of paying off too much of the public debts at once, the unwillingneſs of the public creditors to receive their money, and the ſmall intereſt the nation would be obliged to pay for what money was neceſſary to be borrowed upon the credit of the ſinking fund." Arguments for, and

No general arguments, but thoſe already mentioned on the like occaſion, were made uſe of by way of anſwer; only the oppoſition affected to be ſurpriſed, that the nation had received no ſubſidies from Portugal, on account of the great expence ſhe had been at in defending that kingdom, conſidering that England was obliged to pay a large ſubſidy, for even every promiſe of aſſiſtance ſhe received. To this the miniſterial party anſwered; that the expence, which the nation had lately been put to, was in defence of an ally, whoſe ſafety is connected with her own. The queſtion then being put, the motion was agreed to, without any diviſion. againſt it.

As a natural conſequence of the above motion, a bill was ordered in, for laying two ſhillings in the pound for the year 1736, upon lands, tenements, hereditaments, penſions, offices, and perſonal eſtates, in England, Wales, and Berwick upon Tweed, and a proportionable ceſs, according to the 9th article of the treaty of union, upon Scotland. Land-tax voted.

Not-

Geo. II. 1736.

Notwithſtanding the miniſter had very frankly given the proteſtant diſſenters to underſtand, that nothing then could be done in their favour, yet all denominations of them had, in the late elections, and upon all other occaſions, behaved with the utmoſt duty and affection to the government, and their moderation had procured them many friends in the adminiſtration. This encouraged the quakers, this year, to petition the houſe of commons, "That notwithſtanding the ſeveral acts of parliament made, for the more eaſy recovery of tythes, church-rates, oblations, and other eccleſiaſtical dues, in a ſummary way, by warrant from juſtices of the peace; yet as the ſaid people conſciencioufly refuſed the payment thereof, they were not only liable to, but many of them had undergone grievous ſufferings, by proſecution in the exchequer, eccleſiaſtical and other courts, to the impriſonment of their perſons, and the impoveriſhing and ruin of them and their families, for ſuch ſmall ſums as were recoverable by thoſe acts; and therefore praying, that the houſe would be pleaſed to take the premiſes into conſideration, and afford them ſuch relief therein, as to the houſe ſhould ſeem meet."

Petition from the quakers.

Though the houſe was moſt heartily diſpoſed to give relief to the petitioners, yet the ſame was found to be a matter of great difficulty, on account of the very great intereſt, which the eſtabliſhed clergy, who (almoſt to a man) oppoſed the petition, had in the houſe. Petitions in behalf of the clergy poured in from all quarters, againſt the bill, that was brought in upon the quakers petition, ſetting forth, "That ſhould it paſs into a law, it would be extremely prejudicial to themſelves and brethren, excluding them from the benefit of the laws then in being, for the recovery of tythes, and other dues, and thereby putting the clergy of the eſtabliſhed church upon a worſe foot than the reſt of his majeſty's ſubjects; and praying to be heard by council againſt the bill."

Progreſs of the ſame.

Notwithſtanding all obſtacles, the diſpoſition of the houſe was very ſtrong in favour of the quakers. Their petition was not conſidered in the light of a party-affair, and the proceedings which had been held againſt many of them, had ſuch an air of perſecution, as procured them many friends amongſt all parties. The bill, ordered in for their relief, underwent great alterations in the committee. The main intention of it was, to make the determination of two juſtices of the peace final, as to all payments of tythes and church-dues, when the quaker, who was to pay them, did not litigate the ſame, which the juſtices were to certify under their hands

hands and ſeals, without fee or reward. But in caſe the quaker ſhould litigate the payment (which litigation is likewiſe to be certified as above) then, either party, who ſhould diſſent from the adjudication of the juſtices, might have recourſe to the courts in Weſtminſter-hall. The payment of all church and chapel-rates, if refuſed by quakers, were, upon the church-wardens complaining, to be levied by diſtreſs, by order of two juſtices, upon their goods, in the ſame manner as the poor-rates are levied; and no quaker was to be ſued or proſecuted for not paying any church or chapel-rates, in any other manner whatever. Geo. II. 1736.

Such was the main purport of this famous bill (though clogged with a great number of other clauſes) when after long debates, it paſſed the houſe of commons, by a majority of 164 againſt 48, and was carried up to the houſe of peers by Mr. Glanville. There it met with invincible obſtacles. The ſame petitions were there preſented, and the ſame council heard, as in the houſe of commons. The motion for committing the bill was made by lord viſcount Hinton, who was ſupported in it by lord Hervey, lord Carteret, the duke of Argyle, and the earl of Ilay. On the other hand it was oppoſed by the biſhop of Saliſbury, the lord Hardwicke, and other great peers, who all agreed in opinion, that the quakers ought to be relieved; but they thought the bill ſent up to them, had ſo many imperfections, that it ought not to paſs that houſe. The ſpeakers on both ſides ſhewed great abilities and temper, but when the queſtion was put, for committing the bill, it paſſed in the negative, by a majority of 54 againſt 35.

Diviſion upon it.

Progreſs of it in the houſe of peers.

Thrown out on a diviſion.

On the 10th of March, ſir Joſeph Jekyll, the maſter of the rolls, preſented, according to order, to the houſe, a bill, to reſtrain the diſpoſition of lands, whereby the ſame became unalienable; and being read a firſt time, was ordered to be printed, and to be read a ſecond time. This bill took its riſe from ſeveral incidents that had lately happened, by which heirs at law had ſuffered conſiderably by injudicious, oſtentatious, diſpoſitions of their lands to charitable and other uſes; and other inſtances (particularly one Mr. Mitchel, who was going to leave a very large eſtate in land, to one of the univerſities) it was judged convenient, for many reaſons, to put a ſtop to ſo growing an evil.

Bill for reſtraining lands from being diſpoſed in mortmain.

The principle, upon which this bill was founded, that of not ſuffering lands to go into mortmain or dead hands, had been long a favourite principle with the Engliſh commons. But the two univerſities took the alarm. That of Cambridge, on

Principles of the ſame.

Geo. II. 1736. on the 25th of March, ſetting forth, "That the univerſity and the colleges in it, were founded and endowed, for the maintaining fit perſons in the ſtudy of uſeful knowledge, and the bringing up youth in learning, virtue, and religion: that in general, the intentions of the founders had been anſwered. But the petitioners apprehended, that if the bill depending paſſed without amendment, it would be attended, both in the preſent, and in futurity, with very prejudicial conſequences; becauſe, it would cut them off from donations, to ſupply preſent or future deficiencies, or for any other wiſe or great purpoſes, how uſeful or neceſſary ſoever they might be thought; and that a conſiderable part of their revenue aroſe from annuities and other certain payments, iſſuing out of lands and other eſtates; and that many of thoſe payments having been fixed in the reign of queen Elizabeth, and ſtill continuing invariably the ſame, were then, by the great fall of money ſince that time, ſunk ſo far below their original value, as to be inſufficient to anſwer the purpoſes for which they were deſigned; and that ſeveral headſhips were under 120 l. ſome under 100 l. a year, and that the ſalaries of ſome profeſſorſhips were under 50 l. a year, and others, as thoſe of botany, anatomy, and chymiſtry, had no endowment at all; and that the income of much the greateſt part of their fellowſhips, was under 60 l. of many under 40 l. of ſome ſo low as 30 l. and 20 l. and 15 l. a year; and that many of their ſcholarſhips and exhibitions amounted not to above ſix, four, and three pounds a year, and that ſome were even under thoſe ſmall ſums, and that many poor ſtudents had neither ſcholarſhip nor exhibition to help towards their maintenance; and that the number of advowſons in moſt colleges was very ſmall, in proportion to the number of fellows; and therefore praying the houſe to exempt that univerſity, and the ſeveral colleges therein, out of the ſaid bill."

Petition from the univerſity of Cambridge,

and of Oxford, againſt it.

The prayer of the petition from the univerſity of Oxford was much the ſame; but their petition was far from being ſo particular, and only ſhewed in general, the diſcouragements to which religion and learning amongſt them muſt be expoſed, if they were not exempted from the reſtraints impoſed by the bill. Both theſe petitions were referred to the conſideration of the committee of the whole houſe to whom the bill was committed. On the 31ſt of March, a petition was preſented from the governors of the charity, for relief of the poor widows and children of clergymen, ſetting forth, "That they were reſtrained from accepting of more than 5000 l. a year in lands, and that their preſent income

Other petitions.

come did not exceed 3000 l. a year; and praying to be ex- Geo. II.
cepted out of the bill, or that ſuch proviſion might be made 1736.
thereby, that the corporation might enjoy the benefits intended
them by the royal grants, which eſtabliſhed their income,
and that the ſame might be preſerved to them, to the full
extent thereof." This petition was ordered to lie upon the
table; as was, upon a diviſion, of 143 to 95, another peti- Diviſion.
tion, to the like purport, from the governors of the bounty
of queen Anne, for the augmentation of the maintenance of
the poor clergy, complaining, "That if the bill depending,
ſhould paſs into an act, the rights and powers veſted in them
by the legiſlature, might be greatly affected; and therefore
praying, that a clauſe or clauſes may be added, whereby the
rights and powers of the petitioners may be ſecured." Not-
withſtanding theſe petitions were not referred to the conſide-
ration of the committee of the whole houſe, yet as it was
not the intention of the friends of the bill to do any thing in
prejudice of the legal rights, the petitioners then enjoyed,
and only to prevent the growing madneſs of alienating lands
in mortmain, the public was extremely well ſatisfied with the
progreſs the bill had. For, on the 4th of April, after the The univer-
houſe had reſolved itſelf into a committee, Mr. Gibbon, be- ſities except-
ing the chairmain, a clauſe was preſented, for excepting out bill.
of the bill, the univerſities of Oxford and Cambridge, and
the colleges of Wincheſter, Eaton, and Weſtminſter, with
a proviſion relating to advowſons; and a motion was made
for its being received and made part of the bill. Upon this
a debate aroſe, but the queſtion was carried in the affirma- Diviſion.
tive, by a majority of 227 againſt 130. Several other peti-
tions, beſides thoſe mentioned, were preſented againſt the
bill, while it depended in the houſe of commons, but very
little regard was paid to them, now that the intereſts and Journals of
rights of the two univerſities, the great national ſeminaries the houſe of
of learning, were ſecured, and it paſſed the commons, by a April 15.
majority of 176 againſt 112. It met, however, with ſome
difficulties and great debates in the houſe of peers, to which
it was carried, by Mr. Gibbon, and where it was read the
firſt time on the 16th of April; and after being read a ſecond
time on the 20th, it was, upon the 5th of May, committed
to a committee of the whole houſe.

Lord Gower, who was, at this time, a leading man in Debate upon
the party of the old high-church intereſt, as it was under- the bill in
ſtood in the reign of queen Anne, moved for an inſtruction to lords.
be given to the committee, to receive a clauſe in favour of
the univerſities, with regard to giving them liberty to ex-

Geo. II. 1736. change the ſmall livings they were, or might be, poſſeſſed of, for others of a greater value; ſo as the number of advowſons, in the poſſeſſion of any college, might never exceed the number preſcribed by the bill. The ſame inſtruction had been moved for in the houſe of commons, but was rejected, as it was now in the houſe of peers, though ſupported ſtrenuouſly by lord Bathurſt, the earls of Abingdon, Strafford, and others, who were looked upon as leaders in the high-church or tory party. Several other alterations and amendments were moved for, but diſagreed to. The truth is, all men of ſenſe thought that the madneſs of bequeathing lands in mortmain, had already gone too far, even with regard to charities of a legal inſtitution, and that therefore it was high time to reſtrain it. The lord Hardwick, however, was of opinion, that the bill, as it then ſtood, might affect purchaſes made by charities, though a valuable conſideration had been paid for them. He therefore propoſed a clauſe, providing, "That nothing herein before-mentioned, relating to the ſealing and delivery of any deed or deeds, twelve calendar months at leaſt before the death of the grantor, or to the transfer of any ſtock, ſix calendar months, before the death of the grantor, or perſon making ſuch transfer, ſhall extend, or be conſtrued to extend, to any purchaſe of any eſtate in lands, tenements, or hereditaments, or any transfer of any ſtock, to be made really and bona fide, for a full and valuable conſideration actually paid, at or before the making ſuch conveyance or transfer, without fraud or colluſion."

Clauſe propoſed.

Some lords, who were very ſanguine for the bill, went ſo far as to ſay, "that the above clauſe would defeat the whole intention of it, by giving riſe to colluſion; becauſe a party may ſell an eſtate, and the money may be actually paid for it; but it is in the party's power to leave the money, at his death, to the corporation of charity, who ſhall purchaſe it." But in anſwer to this, it was argued, "that the validity of the purchaſe muſt depend upon the bona fide intention; and ſhould any ſuch colluſion appear, it could not come within the deſcription of the clauſe. It was likewiſe thought unreaſonable, and, indeed, unjuſt, to render void all bargains and transfers, if the grantor or transferer ſhould not ſurvive his deed, the firſt for twelve, and the other for ſix calendar months; after the money had been actually paid by the purchaſing body politic, and perhaps was irretrievable by the purchaſers." The proviſion therefore was admitted, and made part of the bill; which, after ſome other leſs material debates, paſſed with the amendments, and received the royal aſſent.

Before

Before this ſubject is diſmiſſed, it may be proper to inform the reader of a particular fact, which is to be found in no hiſtory or collection of that time, and which fully proves, how ſeaſonable the bill was. In the 7th of king William the IIId, his tory miniſters obtained an act, for the encouragement of charitable gifts and diſpoſitions, which act gave to the crown a kind of a diſpenſing power, with regard to all ſtatutes of mortmain, by inveſting it with a power of granting licences to perſons, bodies politick or corporate, their heirs and ſucceſſors, to alien in mortmain, and to purchaſe, take, and hold, in mortmain in perpetuity, any lands, tenements, or hereditaments. The houſe of commons, on the 5th of April, voted an addreſs to his majeſty, to lay before the houſe an account of what licences had been granted by the crown, and for what values reſpectively, in purſuance of that act. On the 10th of May, the maſter of the rolls, as the proper officer, laid this account before the houſe, and it appeared, that the value of the eſtates, ſo granted by licences from the crown, to be held in mortmain, amounted yearly to 58,185 l. beſides the purchaſes of many advowſons; and at the end of the account, the maſter of the rolls certified under his hand, "That in ſeveral patents for the licences abovementioned, there is a licence given to any ſubject or ſubjects, whether incorporated or not incorporated, to alien eſtates, not exceeding the reſpective yearly values, for which the licences are ſo granted, to purchaſe in mortmain."

Geo. II. 1736.

Sums granted by royal licence to be laid out in mortmain.

Journal of the houſe of commons. May 10.

58,185 l.

On the 10th of March, a petition was preſented to the houſe of commons, from the druggiſts, grocers, chinamen, and other dealers in tea, complaining, "That the ſmuggling of tea was ſo far from being prevented by the laws in being, that it was carried on to ſuch a degree, that the petitioners had the ſtrongeſt reaſons to believe near one half of the tea conſumed in the kingdom paid no duty; and that the very high duty of four ſhillings in the pound, as well as the inequality of its being laid, were the principal foundations of the pernicious practice of ſmuggling; the coarſer ſorts bearing much too great a proportion of the ſaid duty, and by the ſmugglers bought abroad at one third of the price it would ſtand the fair trader at home; and that unleſs ſome remedy ſhould be applied, to prevent that known evil, the petitioners and all fair traders would be under extreme difficulties in carrying on their trade——And that they conceived the moſt effectual means to putting a ſtop to the clandeſtine importation of tea, would be to alter the duty of four ſhillings per pound, to a certain rate, ad valorem, according to the

Petition againſt ſmuggling, and for lowering the duties on tea.

prices

Geo. II. 1736. prices teas ſhould ſell for at the Eaſt-India company's ſale; by which alteration, the petitioners apprehended the amount of the duty to the public would be equivalent, conſidering the quantity before that time fraudulently imported, would be then added to the revenue; and, therefore, for the preſervation of that trade to the petitioners, by putting an end to the practice of ſmuggling, and for ſecuring a revenue to the public, by the importation of that commodity in Britiſh ſhips from China, and other parts of India, and for preventing any money being ſent to neighbouring countries for the purchaſe of tea, to be clandeſtinely imported, and conſumed in this kingdom; praying the houſe to take the premiſes into conſideration, and give the petitioners ſuch relief, as to the houſe ſhould ſeem meet."

It muſt be acknowledged, that ſir Robert Walpole had always ſo great a tenderneſs for every thing that regarded the revenue, that he was, with the utmoſt difficulty, brought to make any alterations in the methods of collecting the ſame. The duties, in the ſhape they were then laid on, anſwered the public exigency, and he was averſe to try an experiment, which might fail in the ſucceſs. He therefore diſregarded the excellent principle upon which the petition was founded, that lowering the duty would prevent ſmuggling, and gave a turn to the prayer of the petition, which the petitioners neither deſired nor expected. He obſerved, "that ſmuggling was the grievance complained of by the petitioners, and that the buſineſs of the houſe was to relieve them from that grievance, in the way that gentlemen ſhould think moſt effectual. That for his part, he thought no method could be ſo effectual, as to increaſe the penalties upon ſmuggling." The houſe was unanimous in taking into conſideration in a committee of the whole houſe, the moſt effectual means to put a ſtop to the great and growing evil ariſing from the unwarrantable and illegal methods of importing tea and other goods into this kingdom; and the day was fixed to the 16th of April.

Bill brought in for encreaſing the penalties on ſmugglers.

Journals of the houſe of commons, April 16.

On that day, ſir Charles Turner, as chairman of the committee, reported, "that he had been directed by the committee to move the houſe, for leave to bring in a bill for indemnifying all ſuch perſons as have been guilty of unſhipping and landing prohibited or uncuſtomed goods, or have been aiding or aſſiſting therein; for inforcing and rendering more effectual the laws againſt the clandeſtine importation and re-landing of goods and merchandizes, for preventing the carrying the ſame through the country with an armed force

force for the future, and for protecting the officers of the revenue in the legal execution of their duty." An order at the same time was made, "that it be an inſtruction to the gentlemen appointed to prepare and bring in the bill, that they inſert a clauſe or clauſes therein, for indemnifying the officers of the revenue, and the perſons who have aſſiſted them in the execution of their duty." Geo. II. 1735-6.

By theſe proceedings, it is pretty plain, that the houſe had loſt ſight of the purport of the original petition, which was the lowering the duties upon teas. But, in fact, ſmuggling was at this time ſo much practiſed, that the gentlemen in the adminiſtration thought themſelves well grounded in believing, that even many of the petitioners were guilty of the very abuſe they affected to complain of. Great faults, however, were found with the bill, which the houſe ordered to be brought in by ſir Robert Walpole, ſome of the lords of the treaſury, and ſome others of his friends. The new penalties againſt ſmugglers, which were inſerted in the bill, were exclaimed againſt, as being additional hardſhip upon the fair trader. Two clauſes in particular were highly complained of. The one enacted, "that any ſhip, not exceeding 100 tons burthen, ſhould be forfeited and loſt, if ſhe ſhould take in form another veſſel at ſea, within four leagues of the Britiſh coaſt, any foreign goods, wares or merchandizes, without payment of the cuſtoms, unleſs in caſes of apparent neceſſity." The other clauſe complained of was, "that all goods, found concealed in any ſhip or veſſel, at any time after the maſter thereof ſhall have made his report at the cuſtomhouſe, and which ſhall not be compriſed or mentioned in the ſaid report, ſhall be forfeited and loſt." Proceedings on the ſame. Queſtionable clauſes in the bill.

The hardſhips upon merchants and ſhip-maſters, upon the face of theſe two clauſes, muſt be obvious to every reader; but the gentlemen in the adminiſtration obſerved, "that if every merchant or owner of a ſhip ſhall commit the care of that ſhip to men of good principles and good ſenſe, they will always take care to avoid the penalties of the act; and that to leave the matter more open, would give a handle for all kinds of the abuſes the petition ſo juſtly complained of. That the confining the penalty complained of, to ſhips, not exceeding 100 tons burthen, proved that it was intended againſt ſmuggling veſſels only, which generally did not exceed that burthen, and were then ſwarming all over the coaſts of England." At laſt, the queſtion being called for, the bill paſſed the houſe of commons, by a majority of 88 againſt 39. The bill paſſes the commons.

Geo. II. 1735-6.

But it met with a much more vigorous oppoſition in the houſe of peers, where the two heads of the law, the lord Talbot, and the lord Hardwicke, thought it wanted amendments. The clauſe chiefly complained of, was an extenſion of the riot act, in a clauſe, as follows. "That upon information before a juſtice of peace, that any perſons, to the number of three or more, who are, or have been, after the 24th of June, 1736, armed with fire-arms, or other offenſive weapons, with intent to run goods, ſuch juſtice ſhall and may grant a warrant to a conſtable, to apprehend ſuch perſons; and if ſuch juſtice finds cauſe, upon examination, he ſhall and may commit them to the next county gaol, there to remain without bail or mainprize, until diſcharged by due courſe of law, or, upon conviction, they are to be adjudged guilty of felony." This was thought to be too dangerous a power to be veſted in any ſingle magiſtrate, without limitation of time or place, and the ſame was amended in the committee, with the unanimous conſent of all the lords preſent; but it was afterwards diſagreed to upon the report. The lords, however, made an alteration in the bill, that the court of king's bench ſhould be empowered to grant bail to perſons committed by the juſtices; and at laſt it paſſed the lords, by a majority of 54 againſt 46, and was returned to the commons.

Oppoſed in the houſe of peers,

but paſſes, with an amendment;

The ſpeaker was in ſome doubt, whether, in ſome ſenſe, the bill was not a money-bill, becauſe it enforced the laws for ſecuring the duties of the revenues of the cuſtoms and the exciſe; and, if ſo, whether the houſe ought to receive the amendments. He informed the houſe of his doubts, but the gentlemen in the adminiſtration were ſo fond of the bill, amended as it was, that the amendments were read and agreed to. The enemies of the bill, however, knowing how late in the ſeſſion it was, offered ſome amendments, which, if agreed to, would not have had time to paſs the houſe of lords; but they were diſagreed to, by a majority of 173 againſt 83, and then Mr. attorney-general was ſent with the bill to acquaint the lords, that the commons had agreed to their amendment.

which is agreed to by the commons.

Journals of the houſe of commons.

Motion for repealing the teſt act.

This ſeſſion, another attempt was made, for the relief of proteſtant diſſenters. For, on the 12th of March, Mr. Plummer, in a very fine ſpeech, moved for a repeal of the act of the 25th of Charles the IId. "for preventing dangers, which may happen from popiſh recuſants," commonly called the teſt act. Mr. Plummer was ſeconded by ſir Wilfred Lawſon, lord Polworth, alderman Heathcoat, and other gentlemen, thought

thought to be extremely attached to the eſtabliſhed church. But he was oppoſed by lord Noel Somerſet, lord Tyrconnel, Mr. Danvers, Mr. Shippen, and ſir Robert Walpole, who never was conſidered as an enemy to the diſſenters. This motion was, at that time, generally thought to be made not with any hopes of ſucceſs, but becauſe it was apprehended by thoſe who were for it, that its miſcarriage would loſe the affection of the diſſenters to the miniſter. He ſeemed to be ſenſible of that; for in his ſpeech againſt the motion he expreſſed himſelf ſo cautiouſly with regard to the church, and ſo affectionately with regard to the diſſenters, that neither party had cauſe to complain of him. The public has been long informed of all the arguments urged for and againſt the motion, as almoſt every year produced ſome event that revived them, therefore they are omitted here. The motion miſcarried by a majority of 251 againſt 123. Geo. II. 1735-6.

Amendment moved for in the bribery and corruption act.

The only matter of importance remaining to be mentioned in this ſeſſion, was a motion made, May the 11th, by Mr. Herbert, for leave to bring in a bill to explain and amend ſo much of an act made in the ſecond year of his preſent majeſty's reign, entitled, An act for the more effectual preventing bribery and corruption in the election of members to ſerve in parliament, as relates to the commencing and carrying on of proſecutions grounded upon the ſaid act, which was accordingly granted. The bill thus moved for was in order to explain and amend a clauſe in the bribery and corruption act; by which it was provided, that no perſon ſhall be liable to any incapacity or penalty impoſed by the ſaid act, unleſs proſecution be commenced within two years after the crime committed; and in caſe of proſecution within that time, unleſs the ſame be carried on without wilful delay. By the bill now moved for, that clauſe was explained and amended, ſo as to make it neceſſary to give the party proſecuted notice of that proſecution within two years. Little or no oppoſition was made to the progreſs of this bill, which was a very ſhort one, and paſſed both houſes.

Treaty between England and Ruſſia.

The only material circumſtance that happened in this parliament, now to be mentioned, is the treaty between his Britannic majeſty and her Czariſh majeſty, concluded at Peterſburgh the 2d of December 1734, but never till this ſeſſion laid before parliament, and therefore could not regularly, till now, be mentioned. As this treaty has not appeared in any collection or hiſtory of that time, and as the knowledge of its contents is highly neceſſary to every reader who wants

Geo. II. 1736. to be thoroughly inſtructed in the hiſtory of this period, he will find in the notes an abſtract of its moſt important articles [a].

On

[a] Article 4. It is agreed, That the ſubjects of Great Britain may bring, by water or by land, into all or any of the dominions of Ruſſia, where the ſubjects of any other nation have permiſſion to trade, all ſorts of goods or merchandizes, whereof the trade or importation are not prohibited; and, in like manner, the ſubjects of Ruſſia may bring into all or any of the dominions of Great Britain, where the ſubjects of any other nation are permitted to trade, all ſorts of merchandizes of the produce or manufactures of the dominions of Ruſſia, whereof the trade and importation are not prohibited, and, in like manner, the merchandizes of the produce or manufacture of Aſia, provided that the ſame be not actually prohibited by any law at preſent in force in Great Britain; and that they may buy and export, out of the dominions of Great Britain, all ſorts of goods and merchandizes which the ſubjects of any other nation may buy in the dominions, and export out of the dominions, of Great Britain, particularly gold and ſilver wrought or unwrought, the coined money of Great Britain being excepted: and to the end that an equality may be preſerved, with reſpect to the exportation of goods and merchandizes, where the Ruſs pay much lower duties than thoſe who trade thither from Great Britain, the ſubjects of Ruſſia ſhall hereafter pay the ſame duties of exportation that the Engliſh merchants pay upon the ſame goods, exporting them from the ports of Ruſſia; and the Ruſs merchants ſhall enjoy the ſame liberties and privileges of trade in England, as the Engliſh merchants of the Ruſſia company do enjoy; it being always underſtood, that there is nothing in this permiſſion contrary to the laws of the country; and that the merchants, both Engliſh and Ruſs, and their factors, conform themſelves to the laws, ſtatutes, and ordinances, received and eſtabliſhed in thoſe countries reſpectively where they ſhall traffic, to the end that no fraud or abuſe may happen to be introduced.

Article 5. It is agreed, That the ſubjects of Great Britain, if they have no rix-dollars to pay the cuſtoms or duties which are payable to the merchandizes imported, they may pay the ſame in the current money, at the rate of 125 copecks for a rix-dollar.

Article 7. It is agreed, That the ſubjects of Great Britain may, in all the towns and places of Ruſſia where the ſubjects of any other nation are permitted to come, pay, for the merchandizes they have bought, the ſame current money of Ruſſia which has been received for merchandizes ſold, unleſs ſome particular contract ſpecify the contrary.

Article 8. It is agreed, That the ſubjects of Great Britain may import into Ruſſia all ſorts of goods or merchandizes, and carry them through the dominions of Ruſſia, by the ſhorteſt and moſt

On the 20th of May his majeſty put an end to the ſeſſion of parliament by a ſpeech, in which he acquainted both houſes, "that ſince the preliminary articles had been concluded Geo. II. 1736. Parliament breaks up.

moſt commodious way, into Perſia, paying three per cent. in rix-dollars, ad valorem, for the duty and tranſit of the ſaid merchandizes, and not any more, under any pretext whatſoever; nevertheleſs the Engliſh merchants ſhall be obliged to agree with the Ruſſian ſubjects, for the charge of tranſportation, as well by water as by land, and to give them a reaſonable price for the ſame; and the moſt preciſe orders ſhall be iſſued, that the Engliſh merchants may meet with all expedition and facility upon the road; and, in like manner, that they may bring all ſorts of goods and merchandizes from Perſia, and carry them through Ruſſia, with the ſame liberty and eaſe, paying only three per cent. ad valorem, for the duty and tranſit, reckoning the rix-dollars in the manner as uſual in the Ruſſian cuſtom-houſes: and, for preventing all frauds on the part of the Engliſh ſubjects, and all vexations and delays on the part of the Ruſſian officers, the Engliſh merchants ſhall declare the merchandizes deſigned to paſs through Ruſſia, and to go to Perſia, and alſo thoſe which they bring from Perſia, at the firſt place where they come into Ruſſia; and they ſhall be received according to their bills of lading, policy, or regiſter, and according to their declared value; on which a duty of three per cent. ſhall be paid, without opening or unpacking the merchandizes, more than is abſolutely neceſſary to ſatisfy the Ruſs officer, that the merchandizes ſpecified in the bill of lading, policy, or regiſter, and no other, is or are contained in the packs or bales wherein the merchandizes are put; but in caſe that the Ruſs officer has reaſon to ſuſpect, that the merchandizes are not declared according to their full value, by 20 per cent. in ſuch caſe the Ruſs officer, paying the merchant the declared value, and 20 per cent. more, without any deduction, may take the merchandizes, and diſpoſe of them: when the Ruſs officer has made his viſitation, which ſhall be done without any vexation or injury to the merchandizes, or the package, he ſhall affix a piece of lead on the bales or packs wherein the merchandizes are contained; he ſhall number them, and mark them; and ſhall give the merchants a certificate of the payment of the duties, and, by this certificate, lead-mark, and numero, they ſhall paſs through Ruſſia, to go to Perſia, or to come from thence, without any other hindrance or moleſtation; but in caſe the merchant does not carry all or any of the bales through Ruſſia, according to the declaration, or if he breaks the leads, and takes out any of the merchandizes in Ruſſia, if there be any reaſon to ſuſpect that it was done contrary to the clear ſenſe and intention of this article, he ſhall be fined, and ſhall pay the full declared value of ſuch bale or pack

Geo. II. 1736. cluded between the emperor and his moſt Chriſtian majeſty, a further convention, concerning the execution of them, has been made, and communicated to him (his majeſty) by both thoſe courts; and that negotiations were carrying on by the ſeveral powers engaged in the late war, in order to ſettle the general pacification." His majeſty then expreſſed himſelf with great concern in relation to the ſeeds of diſſention that had been ſown amongſt his good people, exhorting his parliament to cultivate unanimity, and promiſing impartial protection to all his ſubjects. He then acquainted them, "that being obliged that ſummer to viſit his German dominions, he hoped that they would make the adminiſtration of the queen, whom he had reſolved to appoint regent in his abſence, as eaſy to her as her wiſe conduct would render her government agreeable to them."

His majeſty's ſpeech.

as ſhall be wanting, or ſhall have the load broke.

Article 13. That in caſe of a rupture between the high contracting parties (which God forbid!) the perſons, effects, or ſhips, of the ſubjects of the one or the other of the parties ſhall not be detained nor confiſcated; but, at leaſt, a year's time ſhall be allowed, that they may ſell, diſpoſe of, carry, or ſend away, their effects, and remove their perſons.

Article 27. For the greater eaſe and encouragement of the trade of Great Britain, it is agreed, That, for the future, the woollen ſtuffs of England, hereafter ſpecified, ſhall not pay any more duties, on entry, than what is ſpecified in this article; that is to ſay,

Engliſh cloth for ſoldiers ſhall pay no more than two copecks in rix-dollars by the archine, for duty on entry.

The coarſe cloth of the county of York, known in the Ruſſian tariff by the name of Koſtroſky, ſhall pay no more than two copecks in rix-dollars by the archine, for duty on entry.

The broad flannel ſhall pay but one copeck in rix-dollars by the archine, for duty on entry.

The narrow flannel ſhall pay but three-quarters of a copeck in rix-dollars by the archine, for the duty on entry.

CHAP.

CHAP. VI.

Preliminaries for a general peace—Duke of Lorrain marries with the emperor's daughter—History of captain Porteous and his murder—Death and character of prince Eugene—History and character of Theodore king of Corsica—Foreign affairs—Case of Nixon—State of politics in parliament—Debates about the murder of Porteous—Provost of Edinburgh committed—Censure upon the city of Edinburgh—Debate about augmenting the revenue of the prince of Wales—Character of John duke of Argyle—Debates on reducing the interest—Divisions in the royal family—Character of the late prince of Wales—Death and character of queen Caroline—Foreign affairs—Spanish depredations—Debates upon them.

THE domestic events that happened during this busy session, were few and uninteresting. His majesty, in compliance with the common practice of courts abroad, in January erected a new post of honour under the title of field marshal of the armies of Great Britain. The chief reason of this new erection was in order to give a rank to his generals who might have occasion to serve abroad in conjunction with his allies; and the two first officers who were invested with that great post, were the duke of Argyle and the earl of Orkney, as being the two eldest generals upon the establishment. Geo. II. 1736. Promotions in the army.

About the same time the preliminaries for a general pacification received the last hand, and were in effect, 1st, That France restore to the empire all the places taken from it during the late war. 2d, That the emperor keep the Mantuan, Parma and Placentia, and the Milanese. The king of Sardinia to have Vigevanasco, Navara, and all its dependencies. 3d, That the dutchy of Tuscany, after the death of the present duke, be given to the duke of Lorrain, and Lorrain annexed to the monarchy of France, but without any vote in the empire. 4th, That king Stanislaus be acknowledged king of Poland by all Europe, and enjoy all the honours of a crowned head, after which to resign that kingdom to king Augustus, who shall restore to him all the estates in Poland which belonged to him or his queen. 5th, That king Stanislaus Substance of the preliminaries for a general peace,

Geo. II. 1736.

niſlaus have, by way of equivalent for Poland, the immediate poſſeſſion of the dutchy of Bar and Lorrain after the duke of Tuſcany's death. 6th, Don Carlos to be acknowledged king of Naples and Sicily, and to have the Del Preſidii and the iſle of Elbe; but Leghorn to be declared a free port. 7th, That France guarantee the pragmatic ſanction. 8th, That Spain and Sardinia be invited to accede to the treaty; England, Holland, Portugal, and Venice to guarantee it.

which are generally approved of.

These articles of the general pacification were approved of by all but thoſe who were reſolved to be pleaſed with nothing that was tranſacted by the crown or the miniſtry of Great Britain. They, however, met with great approbation from all diſintereſted perſons both at home and abroad, and no prince ever acquired, by a mediation, more univerſal honour than his majeſty did by this.

Beſides the articles of pacification already mentioned, ſome ſecret articles in caſe of contingencies were agreed to by the contracting powers; but thoſe contingencies not happening, they are here omitted. The queen of Spain was ſomewhat diſſatisfied with the articles; but finding that her huſband and his miniſters were of opinion that enough had been done for don Carlos, ſhe acquieſced. The king of Sardinia ſignified, that he was willing to agree to the articles, provided he was reimburſed for ſome expences he had been at in fortifying the places he had taken, and was to deliver up; but that he did not think the proviſion made for him, was adequate to what he had reaſon to expect.

Marriage of the duke of Lorrain with the emperor's eldeſt daughter.

On the 1ſt of February this year, the nuptial ceremony between the duke of Lorrain and the eldeſt arch-ducheſs of Auſtria, was celebrated with a vaſt profuſion of pomp and expence; and upon that occaſion count Kinſki, the Imperial ambaſſador at London, gave a moſt magnificent entertainment by way of maſquerade, to the royal family and the chief of the nobility. Soon after this, the tranquillity of Europe ſeemed to be perfectly re-eſtabliſhed by the act of abdication of the Poliſh crown, which was properly executed by king Staniſlaus, and ſent to the court of Vienna with a moſt moving concluſion, ſhewing the reaſons for his ſigning the act. In thoſe reaſons he is extreamly tender of the honour of his ſon-in-law the French king; but it is eaſy to ſee, that his acceding to it, and his abandoning the brave Poles, who had ſo generouſly ſupported his intereſt, was the effect of a force put upon him by the French court.

To make the public tranquillity quite compleat, the intervention of the Britiſh fleet in favour of the crown of Portugal,

tugal, brought the crown of Spain into terms with his Portugueſe majeſty, and the Spaniſh miniſtry were honeſt enough to own, that not only their acceſſion to the preliminaries for a general pacification, but the termination of their differences with Portugal, was owing to the mediation of his Britannic majeſty and of the States General. All Europe knew that this was a compliment paid to the States General, who, at that time, had very little credit or power with either court; but the Britiſh miniſtry was willing to admit them to a ſhare of the honour, in order to give ſome grace to a proteſtant power. It ſoon appeared, however, that the French and Imperial courts were in a much better underſtanding with one another than was generally apprehended; for it was agreed between them, that the French ſhould have an immediate ceſſion of Lorrain, upon his moſt Chriſtian majeſty undertaking to diſcharge all the ſums borrowed on the revenues of that dutchy, and to pay the ducheſs dowager her annual dower.

Geo. II. 1736.

Agreement effected between Spain and Portugal by Great Britain.

In the month of April this year, a domeſtic event happened that was attended with great public diſturbances both in the nation and parliament. One Wilſon, a bold, reſolute fellow, had been tried and condemned at Edinburgh to be hanged, for robbing one of the officers of the revenue. Having been guilty of one of the moſt daring actions ever heard of, that of reſcuing out of the hands of juſtice his brother criminal in the time of divine ſervice, and in the middle of his guards, the magiſtrates of Edinburgh encreaſed their uſual precautions for performing the execution; which being over, ſome idle boys, as is common in ſuch caſes, threw dirt and ſtones at the executioner while he was cutting him down. The captain of the city guard, one Porteous, a raſh, intemperate, hot-headed man, upon this, ordered his men to fire amongſt the people; by which ſeveral innocent perſons were killed, and many more were wounded. Porteous, who had no warrant for his inhumanity, was upon this committed to priſon, tried for his life, and upon very full evidence condemned to be hanged. The jury, however, by which he was condemned, found in their verdict, "that he and his guards had been attacked and beat by ſeveral ſtones of a conſiderable bigneſs thrown amongſt them by the multitude, whereby ſeveral of the ſoldiers were bruiſed and wounded."

Hiſtory of the aſſaſſination of captain Porteous at Edinburgh.

As the ſmugglers, of whom Wilſon was one, were at this time remarkably dangerous and daring againſt both the civil and military power, this conſideration, ſtrengthened with the ridiculous inconſiſtency of the verdict, which was in ſome meaſure

Geo. II. 1736.

measure a vindication of the criminal from the very action for which he was condemned to die, induced her majesty, who was then regent, to order the execution of his sentence to be respited. This being publicly known, the lower sort of people in Edinburgh and the neighbourhood, with most amazing secresy, formed a conspiracy to execute the sentence which the royal prerogative had respited. Accordingly, in the night of the 7th of September, a body of men from the adjacent country, entered one of the city gates of Edinburgh, and giving the alarm that they were come to revenge innocent blood, their numbers encreased to such a degree, as to be able to shut up the city gates, and to leave guards at each, to prevent the entry of the king's troops, who lay in the neighbourhood. Then they attacked and disarmed the city guards; and marching to the prison where Porteous was confined, they forced it open, and dragging him to the place of execution, they actually hanged him till he was dead, upon a dyer's cross-post.

Consequences of the same.

The news of this insult upon the government soon reached London; the queen resented it very highly, as did all who were concerned in the administration: and enquiry being made, it appeared, that the magistrates of Edinburgh had received some intimation the day before of what was to happen, but that they had neglected the proper precautions to prevent it. Her majesty, with great reason, complained of this mark of disrespect to her government; and a resolution was taken to make a very strict enquiry into the affair, and to punish the culpable with the utmost severity. The citizens of Edinburgh, perceiving the storm that was gathering against them, endeavoured at first to appease it; but finding all their applications to be ineffectual, they made theirs a common cause with all the disaffected in England, who readily joined with them. It happened fortunately for them, the Scotch members of parliament, at this time, were remarkably well affected to the government, few of them being in the opposition, tho' all of them, one military gentleman [a] excepted, joined in defending their capital. The event will be seen in the proceedings of parliament.

Death and character of prince Eugene.

This year was remarkable for the death of the great prince Eugene of Savoy, leaving behind him the character of the greatest soldier and one of the most pious men of his age. He was esteemed a greater hero than his cotemporary and equal in command the duke of Marlborough, tho' not so accomplished a general. But prince Eugene had, in other respects, the superiority over the duke; for he was generous, magni-

[a] Anstruther.

ficent,

ficent, an encourager of arts and learning, and had no more than a proper regard for money. Geo. II. 1736.

About this time a very extraordinary perſon ſtarted up in Europe, and for ſome time created great ſpeculation and diſcourſe. The republic of Genoa held the ſovereignty of the iſland and kingdom of Corſica; and had exerciſed it with ſo much tyranny, that the inhabitants had thrown off their yoke, and given ſeveral defeats to their troops. The conjuncture was thought favourable by ſome in England, and matters were managed ſo, that Theodore baron Stein was landed upon Corſica in an Engliſh ſhip, and received with open arms by the inſurgents; who had before been diſpoſed to join him, and were prepoſſeſſed in his favour by his appearance, but more by his pretenſions. History and true character of Theodore king of Corſica.

This extraordinary perſon was in reality born near Cologn in Germany, and took his name of Stein from a ſmall barony there, which had belonged to his family, but had been often mortgaged to ſupply his extravagance. He had the perſonage and mein of a great man, but was entirely void of all intellectual qualifications anſwerable to his appearance. He poſſeſſed, however, a low kind of cunning, which he knew how to diſguiſe; and its whole bent was to make him paſs for a perſon of great conſideration. He was void of letters, knew little or nothing of military affairs, a ſtranger to veracity, and in his nature he was proud, inſolent, and cruel. Notwithſtanding all this, he had the addreſs to conceal his own imperfections ſo well, that many, and even perſons of ſome diſcernment, were impoſed upon by him. He was aſſiſted in this even by his ignorance; for having led the life of a vagabond, he ſpoke a little of all languages, but none of them ſo well as to be underſtood; and therefore they who converſed with him, thought that he underſtood things much better than he could expreſs them. The emphatical geſtures with which he accompanied every thing he ſpoke, ſeconded the impoſition; and it is incredible how far he carried it, even after his true character and views were more than ſuſpected.

At firſt, he affected the character of viceroy of Corſica, which made many ſuſpect that he had a correſpondence with the government of England; a notion which he was far from diſcouraging. Some have even thought that he was encouraged from England in his attempt upon Corſica. But that is extremely unlikely; becauſe he would not have failed in the latter part of his moſt miſerable life, which he ſpent and ended in England, to have named his abettors, and thereby His progreſs and fall.

have

Geo. II. 1736. have obtained the protection of a party. But that he never could directly do, though often called upon. And though, to raiſe the opinion of his own importance, he affected, by his grimaces, ſometimes a familiarity with great names, yet he never was known to be explicite enough to charge any great man in England with either abetting or deceiving him.

His arts, however, were ſo ſucceſsful with the Corſicans, that having engaged all the credit he had, or could procure, for arms and ammunition, which were landed in Corſica, the inhabitants proceeded to elect him for their king; and the pope, who happened at that time to be upon very bad terms with ſeveral of the Italian ſtates, that of Genoa particularly, was ſaid to have confirmed his election by a bull. Be this as it will, he certainly was formally elected and regularly crowned king of Corſica, in an open plain, by the name of Theodore the firſt king of Corſica, and ſome pieces of ſmall money with that inſcription were actually coined. But all thoſe promiſing appearances were ſoon after blaſted by the conduct of Theodore himſelf. He had been extreamly laviſh of his promiſes of ſuccours both in men, money, and ammunition to his own ſubjects; and ſome of them, having ſeen no effects of his promiſes, had been free enough to expoſtulate with him upon the ſubject; which Theodore took ſo much amiſs, that he ordered them to be tried and executed by the ſentence of a court-martial of his own appointing. This ſeverity cooled the affections of the chief Corſicans towards him; and though he made ſome efforts to take Baſtia from the Genoeſe, and even beat ſome of their detached parties, yet he never could make his footing good in the iſland, but left it in a ſhort time with a promiſe to return with ſupplies of arms and money, which he ſaid his preſence was neceſſary to procure.

Negotiations between the French and Imperial courts.

In the mean while the Imperial court was buſying itſelf in obtaining the acceſſion of the empire to the preliminaries for a general pacification, and ſucceeded ſo well, that in the beginning of May, the three colleges of the empire unanimouſly reſolved to approve of them, to thank his Imperial majeſty for his paternal care for the intereſts of the Germanic body, and to give him full power to perfect the great work of peace. A few days after, the exchange of the ratification of a new convention for carrying the preliminaries into execution, was made between the French and Imperial miniſters. This convention conſiſted of eight articles. The three firſt related to the neceſſary diſpoſitions to be made in Italy and Germany, with regard to the return and the ſubſiſtance of the

troops,

troops, the evacuation of places and contributions. The fourth article related to the full execution of the firſt preliminary, and to the affairs of Poland; and the four remaining articles were in conſequence of the preceding ones. The ſame convention had annexed to it three ſeparate articles, which concerned the actual and immediate ceſſion of Lorrain; a point which the French had now more at heart than ever, and which, indeed, was their ultimate view in all the blood and treaſure they had ſpent on pretext of aſſiſting king Staniſlaus. Geo. II. 1736.

Farther convention upon the preliminaries.

All this while matters were in a very tickliſh ſituation between the courts of Madrid and Vienna. Neither of them had any real deſign to break with the other, and yet both wanted to take advantage of the ſituation of affairs. The court of Madrid ſtarted a great number of objections, which made the French and Imperial miniſters the more earneſt to obtain from Great Britain and the States General a guaranty of the new diſpoſition of affairs, as ſettled by the preliminaries. As the court of London was not much intereſted in the affairs of the continent at this time, the matter was left to the judgment of the States General, who at laſt came to a reſolution which they communicated to the Imperial and Spaniſh miniſters, and which, in ſubſtance, was as follows:

"That the States General, to comply as far as in them lies, with the intentions of their Imperial and Chriſtian majeſties, have not inſiſted upon ſeveral articles which they might with reaſon have hoped to ſee comprized in the negotiations ſome time carried on between the courts of Vienna and France; but that the ſaid negotiations being now on the point of determining, their High Mightineſſes expect that their Imperial and moſt Chriſtian majeſties will pay attention to the repreſentations and demands which the king of Great Britain, jointly with the republic, has made to them, in order to have proper articles with regard thereto inſerted in the general treaty of peace." The demands were, 1ſt, That the fourth article of the treaty of Ryſwick be annulled. 2d, That there be no alteration, either now or hereafter, relating to the Netherlands; and for the greater ſecurity in that reſpect, a renewal of the treaty of barrier be included in that of the next general peace, which the emperor ſhall engage to execute in every point, and France ſhall guarantee the performance. 3d, That the affairs of commerce be ſettled on a ſolid foot. 4th, That his Catholic majeſty be perſuaded to agree to a particular convention upon this head with the court of Great Britain and their High Mightineſſes. 5th, That

their

Geo. II. 1736.

their Imperial and moſt Chriſtian majeſties ſettle, in concert with their High Mightineſſes, the king of Pruſſia, and the elector Palatine, the ſucceſſion of the dutchies of Bergues and Juliers, in order to prevent the fatal diſtractions and broils which it is plain to foreſee muſt otherwiſe ariſe upon the death of the latter.

Conduct of the court of Spain.

The court of Spain received theſe propoſitions but coldly; ſometimes they promiſed to give orders for the evacuation of Italy, ſometimes they augmented their forces by ſea and land, and ſeemed determined to keep poſſeſſion of Tuſcany till don Carlos ſhould be put into immediate poſſeſſion of the alloidal eſtates in Parma and Placentia, and likewiſe was ſecured in the ſucceſſion to the moveable effects of the Medicis family after the death of the grand duke of Tuſcany. The Imperial and French courts acted with more openneſs. His Imperial majeſty, at the requeſt of the king of England, conſented to the revocation of the fourth article of the treaty of Ryſwick, which was inconſiſtent with the treaty of Weſtphalia. The backwardneſs of the court of Madrid, which, notwithſtanding all its promiſes delayed the evacuation of Tuſcany, obliged the emperor, however, to order ſome troops in the beginning of winter to move towards Tuſcany, which produced from the Spaniards a freſh promiſe of the evacuation of that dutchy; and, at laſt, the acts of ceſſion were actually exchanged, and every thing was diſpoſed for carrying the preliminary articles into execution, ſo as to end in a general peace.

Great tumults in England.

During thoſe tranſactions abroad, the ſpirit of tumult and rebellion was very buſy at home; for the ſuppreſſion of the pernicious practice of drinking ſpirituous liquors, was a matter of greater difficulty than had been foreſeen, ſo univerſal it had become. No fewer than 7044 houſes and ſhops where thoſe liquors were publicly ſold by retail, were found within the limits of Weſtminſter, Holbourn, the Tower, and Finſbury diviſion, excluſive of London and Southwark, beſides a prodigious numbers of cellars and garrets where it was ſold privately. The great vigilance of the government, however, prevented any dangerous commotions from breaking out; and ſome diſturbances which happened amongſt the lower ranks of people about Spittal fields, Shore-ditch, and other out-ſkirts of the city, were ſoon ſuppreſſed by the train-bands, aſſiſted by a party of the horſe guards from Whitehall. Some riots likewiſe happened in the Weſt, occaſioned by turnpikes, and ſome upon the commencement of the bill againſt ſpirituous liquors, not only in London, but in ſeveral

parts of the country; but they were ſoon ſuppreſſed. But the moſt daring inſult againſt the government was committed by one Nixon, a nonjuring clergyman. He ſeems to have been little better than a madman, for he conveyed into Weſtminſter-hall a packet, incloſing ſome gunpowder with a lighted match, and five acts of parliament which had paſſed that ſeſſion, viz. the gin act, the mortmain, the act for building Weſtminſter bridge, the act againſt ſmugglers, and the act for borrowing 600,000 l. upon the ſinking fund. When the match came to the paper, an exploſion followed, to the great amazement of all the courts: but the offender being diſcovered, he was tried and convicted for the ſame, and had a fine and impriſonment impoſed upon him. Geo. II. 1736-7. Caſe of Nixon.

The two leading parties in parliament conſidered the ſpirit of diſquiet all over the kingdom in very different lights. The government complained bitterly of it, as being fomented by the diſaffected and diſappointed, at home; and in ſhort, they did not ſcruple to charge the oppoſition with all the diſorders that had happened. The oppoſition, on the other hand, affected to believe, that all the late diſturbances were owing to the diſſolute principles of the government, which had thrown up all the reins of authority, and, by its own example, had encouraged the common people to contemn and diſregard all ſubordination of order. State of politics in parliament.

On the 1ſt of February the Britiſh parliament was opened by commiſſion from his majeſty. The lords commiſſioners, in their ſpeech, acquainted both houſes, that a farther convention concerning the execution of the preliminary articles had been communicated to his majeſty by the Imperial and French courts, and that negotiations were at that time carrying on by the ſeveral powers engaged in the late war, in order to ſettle a general pacification. They added, "that the reſpective acts of ceſſion being exchanged, and order given for the evacuation and poſſeſſion of the ſeveral countries and places, by the powers concerned, according to the alotment and diſpoſition of the preliminary articles, the great work of re-eſtabliſhing the general tranquillity was far advanced. But that his majeſty was of opinion, that great attention ought to be paid to the final concluſion of the new ſettlement which was to diſpoſe of ſuch conſiderable parts of Europe. That though there was the moſt promiſing appearance of a general laſting tranquillity, yet common prudence called upon the Britiſh nation to avoid an indolent ſecurity and too great a diſregard to future events. In ſhort, that ſhe ought to be provided againſt all attempts that might be made againſt her Parliament meets. Speech of the lords commiſſioners.

peace

Geo. II. 1736-7. peace by her enemies." They next acquainted the commons, "that his majeſty had, as ſoon as circumſtances would permit, made ſuch a reduction of the expences, as was conſiſtent with the peace and ſafety of his kingdoms, the ſecurity of commerce, and the honour and intereſt of the nation." The reſt of the ſpeech took notice of the late diſturbances in the following remarkable words. "That his majeſty cannot but obſerve, that it muſt be matter of the utmoſt ſurprize and concern to every true lover of his country, to ſee the many contrivances and attempts carried on in various ſhapes, and in different parts of the nation, tumultuouſly to reſiſt and obſtruct the execution of the laws, and to violate the peace of the kingdom. The diſturbers," continues the ſpeech, "of the public repoſe, conſcious that the intereſts of his majeſty and his people are the ſame, and of the good harmony that ſubſiſts between him and his parliament, have levelled their ſedition againſt both, and in their late outrages, have either directly oppoſed, or at leaſt endeavoured, to render ineffectual ſome acts of the whole legiſlature. His majeſty, in his great wiſdom, thinks it affords a melancholy proſpect to conſider to what height thoſe audacious proceedings may riſe."

Addreſſes. This ſpeech was anſwered by very loyal addreſſes from both houſes, expreſſing their abhorrence of the outrages complained of, and their reſolution to ſupport his majeſty in all his endeavours to re-eſtabliſh the general tranquility. That part, however, of the ſpeech relating to riots and tumults, was on the 10th of February formally taken notice of by lord Carteret in a committee of the whole houſe of peers. He complained, that notwithſtanding the powers with which the civil magiſtrate was armed, the military force had been employed in ſuppreſſing the late diſturbances, none of which, he ſaid, had ariſen from any diſaffection the people had to the government, but from other cauſes. He obſerved, that the murder which had been committed by the populace at Edinburgh, was of the moſt atrocious nature, and that the conſpiracy which had effected it was the more to be dreaded, as it was attended with very little diſorder, farther than the perpetration of the crime for which the rioters aſſembled. Upon the whole, his lordſhip was for making the moſt diligent and ſevere enquiry into the affair, and for bringing the authors to the moſt exemplary puniſhment, and for even cenſuring the city of Edinburgh, if it ſhould be found its inhabitants and magiſtrates had not done their utmoſt endeavours to ſuppreſs the inſur-

Debate about the city of Edinburgh.

rection,

rection. His lordſhip, however, avoided making any motion, Geo. II.
in expectation that a proper one would be made by ſome lord 1736-7.
concerned in the adminiſtration.

The duke of Newcaſtle, lord Hardwick, and others, anſwered this ſpeech, by appealing to facts, which evinced the neceſſity of employing the military force, in ſuppreſſing the late commotions. The earl of Ilay diſtinguiſhed himſelf by his great abilities upon this occaſion. "He proved, from the nature of the act of union and of government in general, that the city of Edinburgh in its corporate capacity, could not be diſenfranchiſed for any malverſation of its magiſtrates, even ſuppoſing them to have been remiſs in preventing the late conſpiracy; and he demonſtrated to the houſe, the wide difference there was between the conſtitutions of the two kingdoms. His lordſhip, however, agreed with the court-peers, who had repreſented the outrages, as proceeding from diſaffection to the government, and greatly blamed the ſeditious pamphlets and practices, that had been employed to alienate the affections of the people from his majeſty's perſon and government." No anſwer was made to this ſpeech, and lord Carteret thereupon moved;

1ſt. "That the provoſt and the four bailies of the city of Edinburgh, in the year 1736, be ordered to attend the houſe." Reſolutions moved for, and agreed to.

2d. "That the perſon commanding the city-guard, at the time of the riot, in which captain Porteous was murdered, be ordered to attend the houſe."

3d. "That the officer commanding in chief his majeſty's forces, in that part of Great Britain called Scotland, and reſiding there at the time of the ſaid riot, be ordered to attend the houſe."

4th. "That an authentic copy of the trial of captain Porteous, and all the proceedings relating thereto, be laid before the houſe."

5th. "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to give order, that the accounts tranſmitted hither, of the murder of captain Porteous, and what paſſed thereon, together with orders and directions ſent from hence, relating thereunto, as likewiſe a copy of the reprieve of the ſaid captain Porteous, granted by her majeſty, as guardian of the kingdom, be laid before the houſe."

6th. "That the attendance of the ſeveral perſons beforementioned, be on that day month."

Géo. II. 1736-7.

On the 3d of March, the duke of Newcaſtle preſented to the houſe of peers the ſeveral papers and documents, for which they addreſſed his majeſty; and on the 10th of the ſame month, the ſeveral perſons ordered to attend, preſented themſelves. They were all ſeverally and ſeparately examined; but their evidence was confuſed and unſatisfactory. The government was ſatisfied from the complexion of the affair, that the magiſtrates of Edinburgh had not done their duty in ſuppreſſing the riot, or, as ſome called it, the rebellion; and yet they had no legal evidence to convict them. The truth is, all the magiſtracy and inhabitants of the city looked upon it as a common cauſe, and they agreed in one narrative, which was, that they had done all that was in their power to prevent the murder. Mr. Lindſay, member of parliament for the city of Edinburgh, who happened to be there, when Porteous was put to death, was, by leave of the houſe of commons, examined in the houſe of peers; but his evidence, which was very partial in favour of the city, being ſuſpected, general Wade, colonel Durour, and major Poole, who were then in or near Edinburgh, were examined likewiſe.

Papers relating thereto, preſented to the houſe of peers.

The honour of government, however, had no ſmall influence in the proceedings. Her majeſty conceived, and that too very juſtly, that ſhe was well founded both in law and juſtice, to give Porteous a reſpite of his ſentence. For, when the proceedings before the juſticiary court in Scotland were laid before the houſe, and more minutely examined, many circumſtances appeared to juſtify the ſpeciality that was found in the verdict of the jury, and to prove, in fact, that Porteous, in his military capacity, could not well avoid firing upon the mob. This coincided with the ſentiments of the miniſterial party, and ſome lords of the oppoſition did not heſitate to ſay, "that Porteous, in being condemned by law, had met with a ſevere, if not a cruel and unjuſt meaſure of juſtice." At laſt, the matter became almoſt national. The whole people of Scotland took part with the city of Edinburgh, and many of the lords in the oppoſition in England, thought that the authority of government required to be vindicated by a ſevere cenſure of the city of Edinburgh.

Mr. Fletcher, of Salton, was then lord juſtice clerk of Scotland, and conſequently preſided at the trial of Porteous, as the lord chief juſticiary of Scotland; the earl of Ilay was not then upon the ſpot. He was a man, irreproachable both in his public and private character. His attachment to the proteſtant ſucceſſion had been ſo unqueſtioned, that he was raiſed

Attendances ordered.

to

to the high poſt he then held, and he had always exerciſed it to the ſatisfaction of all parties; for his moderation was ſuch as won him the love and eſteem even of the enemies of the government. Geo. II. 1737.

The conſtitution of the criminal law in Scotland being very different from that in England, rendered it inconceivable to the houſe of peers, how a perſon could be condemned to death upon a verdict, ſo inconſiſtent with common juſtice. This conſideration brought on a long and ſmart debate; but after various turns and difficulties, it was reſolved, that the lord juſtice-clerk, and the lords Royſton and Dun, the two ſenior judges of the juſticiary-court, ſhould attend the houſe of peers by a ſtated day, viz. April 21. Mean while, general Wade and ſome other evidences being examined, the houſe of peers thought they had ſufficient grounds for taking Alexander Wilſon, eſq; the lord provoſt of Edinburgh at the time when Porteous was murdered, into cuſtody of the gentleman uſher of the black rod. He was, however, ſoon after admitted to bail, in order to prepare for his defence by counſel, againſt a bill, which was brought in, for incapacitating him from holding any place of truſt or power, and for inflicting certain penalties upon the city of Edinburgh.

Scotch judges ordered to attend the houſe of peers.

Provoſt committed.

When the Scotch judges, according to order, attended the houſe of peers, a great debate opened upon the manner in which they were to be examined, but at laſt it was reſolved, it ſhould be at the bar of the houſe. This was conſidered as a kind of degradation of their dignity, (their friends, who appear to have been very powerful in the houſe) having inſiſted upon their being examined on the woolpacks, where the Engliſh judges ſit, at the table. The queſtions put to them were few and immaterial, but ſtill the bill of pains and penalties againſt the lord provoſt and the city of Edinburgh went on. Counſel, to very little purpoſe, was heard both for and againſt it, at the bar of the houſe, where the arguments urged on both ſides by the gentlemen of the long robe, were weak beyond all contempt. The bill, however, paſſed the houſe upon the 11th of May, after a diviſion of 54 againſt 22, and was ſent to the commons.

Diviſion on the bill.

It may be neceſſary to acquaint the reader, that before this affair came to be agitated in parliament, great alterations happened in the high offices of the law. Lord Talbot had ſucceeded ſir Peter King, as lord chancellor of Great Britain. He was an illuſtrious exception to the venality charged upon the profeſſion of the law; his life was moral, his heart was good, and his head was clear; nor did ever man fill that high

Death and character of lord chancellor Talbot.

Geo. II. 1737. ſtation with greater abilities and approbation of the public. But juſt as the nation was, in a manner, beginning to reap the benefits of his virtues, he was ſnatched away by death. As lord Talbot had ſucceeded a very weak man, his abilities were the more conſpicuous; but his ſucceſſor, who was the lord Hardwick, chief juſtice of the king's bench, entered upon that high office with as great expectations as ever man entered upon any office, and which were as effectually anſwered.

Alterations in the law. Sir William Lee, a ſlow, but a ſound lawyer, was made lord chief juſtice of the king's bench; ſir John Willes, the attorney-general, was made chief juſtice of the court of common-pleas; Dudley Rider, eſq; ſucceeded him as attorney-general, and Mr. Strange was made ſollicitor-general.

Proceedings upon the Edinburgh bill in the houſe of commons. When the bill againſt the lord provoſt and the city of Edinburgh came down to the commons, they reſolved, that the lords ſhould be deſired at a conference, that the grounds, upon which the ſaid bill proceeded in their houſe, might be communicated to the houſe of commons; and materials for the conference being prepared by the attorney-general, the lords agreed to it. Though this conference was, in fact, a matter of form, yet the commons could not decently have gone into the merits of the bill, without it. When it was over, the commons went into debates for and againſt the bill, which, when it came down to their houſe, was entitled, "An act, to diſable Alexander Wilſon, eſq; from taking, holding, or enjoying, any office, or place of magiſtracy, in the city of Edinburgh, or elſewhere, in Great Britain; for impriſoning the ſaid Alexander Wilſon, and for aboliſhing the guard kept up in the ſaid city, commonly called the town-guard; and for taking away the gates of the Nether-bow port of the ſaid city, and keeping open the ſame."

Such was the title, and ſuch was the penalties of this famous bill, as it was ſent to the commons from the houſe of peers, where it had been moſt ſtrenuouſly oppoſed by the duke of Argyle, and his brother the earl of Ilay. It is certain, the miniſterial party in the houſe of peers, had not thoroughly conſidered the nature of the Scotch conſtitution, as it had been left by the act of union; nor was the evidence ſufficient for juſtifying the ſeverities contained in the bill. Wilſon, the lord provoſt, was a weak, well-meaning man, and had acted in the affair of the riot, to the beſt of his courage and capacity; and the worſt part of conduct fixed upon him by the evidence for the bill, was his not having been active in arming the guard and the citizens the day before

Conference between the two houſes.

fore the riot had happened, when ſome very uncertain rumours about it were whiſpered. With regard to the penalty inflicted upon the city of Edinburgh, great doubts were ſtarted in point of legality, whether they could regularly be inflicted, even by a Britiſh parliament, conſiſtent with the articles of the union. Geo. II. 1737.

When the lords delivered their reaſons at the conference, they founded them upon the trial of Porteous, and the verdict againſt him, and the reprieve granted him by her majeſty, with a letter from the provoſt to major-general Moyle, and likewiſe the evidence given by John Lyn, a captain lieutenant of the city-guard, Robert Stuart, John Dinn, John Bayly, Alexander Neſbit, captain Bendiſh, lieutenant Aſhton, major Roberton, major-general Moyle, Roderic Browne, Chriſtopher Chiſolm, and lieutenant general Wade. The ſame perſons were ordered to attend the houſe of Commons, and Mr. Attorney, and Mr. Sollicitor-general, were ordered to manage the evidence, and to appoint counſel learned in the law, to ſupport the bill. Grounds of the bill, as delivered by the lords.

The oppoſition made to it, when it came to be amended in the committee, was ſo vigorous, that the whole of it was ſaved only by the caſting vote of colonel Bladen, the chairman; and every time it was read, it occaſioned freſh debates, and received important alterations. The provoſt, Wilſon, and the magiſtrates and town-counſel of Edinburgh, in the name of themſelves and community of the ſame, preſented petitions, and were heard by their counſel againſt it, and many of the beſt wiſhers to his majeſty's government, began to have great doubts concerning it in point of prudence, as well as legality. It was obſerved particularly, that ſome of the moſt violent oppoſers of the government, either befriended the bill, or abſented themſelves from parliament during its dependance. Some affected to look upon this as proceeding from a perſonal regard to her majeſty, but they themſelves affected to give out, that as they could not vote for the bill, they were reſolved to do nothing that might prevent the unpopularity, which the miniſter muſt incur, ſhould it paſs into a law. Bill almoſt loſt. Conduct of the oppoſition.

In ſupport of the petitions againſt the bill, four acts of the Scotch parliament before the union, were read, which clearly enough pointed out the penalties to be inflicted upon magiſtrates, who were deficient in their duty, when riots happened within their juriſdiction, but could by no means juſtify puniſhing the community. A charter was likewiſe produced, granted by James I. of England, and VIth of Scotland, in the year 1603, (the year of his acceſſion to the crown of England) Petitions againſt the bill. Vouchers againſt it.

Geo. II. 1737.

which, after reciting the merits of the ſaid city, "contains a grant of the borough of Edinburgh, with the walls and gates thereof." The 29th and 21ſt articles of the union were likewiſe urged, both for and againſt the bill; and the evidence in ſupport of it was ſo vague, confuſed and uncertain, that nothing but the reſpect owing to her majeſty's perſon and government could have ſaved it from being thrown out; for, when it came to be committed, the commitment of it was carried, by a majority of no more than 6 votes, 124 againſt 118.

Journals of the houſe of commons.

After this, the ſenſe of the houſe was againſt invading any of the franchizes of the city; but ſome gentlemen were very clear, that the provoſt, if guilty, might be puniſhed according to the tenor of the bill, and that ſome kind of reparation ought to be made to the widow of Porteous by the corporation of Edinburgh. At laſt, the whole of the bill was reduced to an act, for diſabling Alexander Wilſon, the provoſt, from taking, holding, or enjoying, any office, or place of magiſtracy, in the city of Edinburgh, or elſewhere, in Great Britain, and for impoſing a fine upon the ſaid corporation, of 2000 l. for the benefit of the widow of Porteous.

Bill amended and mitigated.

Speakers againſt it.

Amongſt the many great ſpeakers in the houſe of commons upon this head, none diſtinguiſhed themſelves more than Mr. Forbes, the lord-advocate for Scotland, and the lord Cornbury. The paſſion, which the former had for his country, gave him powers of ſpeaking, which he never had been known to exert upon any other occaſion; and the latter, in the ſpeech he made againſt the bill, proved himſelf in eloquence, to be the ſucceſſor and heir worthy the great chancellor Hyde. Other gentlemen ſpoke with great force and vivacity againſt the bill, and it muſt be candidly owned, that it was not ſupported by the ſame abilities, with which it was attacked. The party againſt the bill perſiſted in their oppoſition with ſo much perſeverance, that the very day on which it paſſed the houſe of commons, they divided the houſe upon the two firſt clauſes, which related to the incapacitating the provoſt, and chuſing a new provoſt in his room; but the queſtion was loſt, by a majority of 125 againſt 103; nay, when the bill, ſtingleſs as it had been rendered by the commons, came to paſs, it eſcaped being thrown out, by a majority of 128 againſt 101; and then it was carried to the lords by colonel Bladen, where it paſſed, as amended by the commons.

Diviſions upon its paſſing.

Another bill for diſcovering the murderers.

While this bill was in agitation, another paſſed through the houſe of lords, and was ſent down to the commons, "For the

the more effectual bringing to juſtice any perſons concerned in the barbarous murder of captain John Porteous, and puniſhing ſuch as ſhall knowingly conceal any of the ſaid offenders." This bill was of a pretty ſevere nature, and was directed to be read, for a ſtated time, by the eſtabliſhed clergy, out of their pulpits, every Sunday. Amongſt other clauſes, it contained an indemnity to any perſon who was concerned in the murder, provided he diſcovered and convicted another accomplice in the ſame, before the firſt of February next. This clauſe was added to the bill by the commons, as was another, promiſing a reward of 200 l. out of his majeſty's revenue, to any one, who, as above, ſhould diſcover and convict, by their evidence, any perſon concerned in the murder. Geo. II. 1737.

Thoſe proviſions were thought by many to be ſomewhat too ſevere, and to give too great encouragement to informers, thoſe peſts of ſociety. The Scots, when the act paſſed, and was read to them, treated it with the utmoſt contempt; and though many thouſands were publicly concerned in the murder, and ſome of them tried; yet none were legally convicted, or executed for the ſame. Thought to be ſevere.

The virtues of the prince and princeſs of Wales, having endeared them to the nation, their intereſt became ſo popular, that the members in the oppoſition endeavoured to engraft it upon their own, without conſidering or making allowance for alterations of circumſtances. His majeſty had a numerous, growing iſſue, which required a large ſupport, when he was prince of Wales, as well as when he was king. The prince as yet had only the proſpect of ſuch an iſſue. The party in the oppoſition, however, undertook to procure him 100,000 l. a year, which was the allowance his majeſty had, when prince of Wales. It was eaſily foreſeen, that this would create a breach in the royal family; and the miniſter, whoſe intereſt it was always to keep well with the heir apparent, did all he could to prevent it, but to no purpoſe. His royal highneſs thought he could not in honour deſert the friends, who had ſo generouſly undertaken to ſerve him, and rejected all terms of accommodation, but what ſhould be made by parliament. His claim was plauſible, and the oppoſition promiſed themſelves great advantages by his becoming their head. Debate upon the allowance to the prince of Wales.

On the 22d of February, therefore, Mr. Pulteney moved the houſe of commons, "that an humble addreſs be preſented to his majeſty, to expreſs the juſt ſenſe of this houſe of his majeſty's great goodneſs and tender regard for the laſting Motion by Mr. Pulteney.

Geo. II. 1737. welfare and happineſs of his royal highneſs the prince of Wales; and as this houſe cannot omit any opportunity of ſhewing their zeal and regard for his majeſty's honour and the proſperity of his family, humbly to beſeech his majeſty, that in conſideration of the high rank and dignity of their royal highneſſes the prince and princeſs of Wales, and their many eminent virtues and merits, he would be graciouſly pleaſed to ſettle 100,000 l. a year, on the prince of Wales, out of the revenues, chearfully granted to his majeſty for the expences of his civil government, and better ſupporting the dignity of the crown, and for enabling his majeſty to make an honourable proviſion for his royal family, in the ſame manner his majeſty enjoyed it before his happy acceſſion to the throne; and alſo humbly to beſeech his majeſty, to ſettle the like jointure upon her royal highneſs the princeſs of Wales, as her majeſty had when ſhe was princeſs of Wales, and to aſſure his majeſty, that this houſe will enable him effectually to perform the ſame, as nothing will more conduce to the ſtrengthening of his majeſty's government, than honourably ſupporting the dignity of their royal highneſſes, from whom we hope to ſee a numerous iſſue, to deliver down the bleſſings of his majeſty's reign to lateſt poſterity."

This motion, which was ſeconded by ſir John Barnard, was ſupported by a great variety of inſtances from the Engliſh hiſtory, attempting to prove, that the heirs apparent of the crown of England always had been, and always ought to be, provided for, in a liberal and independent manner. Sir Robert Walpole entered into the debate with great decency and firmneſs, by endeavouring to ſhow, that his majeſty could not, out of his preſent revenue, ſpare a greater allowance, than he did to his royal highneſs; and then he told the houſe,

Meſſage from the king, delivered by ſir Robert Walpole to the commons.

"That he was commanded by his majeſty to acquaint them, that his majeſty yeſterday ſent a meſſage to his royal highneſs the prince of Wales, by the lord chancellor, lord preſident, lord ſteward, lord chamberlain, duke of Richmond, duke of Argyle, duke of Newcaſtle, earl of Pembroke, earl of Scarborough, and lord Harrington;" which meſſage, ſo ſent by thoſe lords, being in writing, was as follows.

"His majeſty has commanded us to acquaint your royal highneſs, in his name, that, upon your royal highneſs's marriage, he immediately took into his royal conſideration, the ſettling a proper jointure upon the princeſs of Wales, but his ſudden going abroad, and his late indiſpoſition ſince his return,

turn, had hitherto retarded the execution of these his gracious intentions; from which short delay his majesty did not apprehend any inconvenience could arise, especially since no application had in any manner been made to him upon this subject by your royal highness; and that his majesty hath now given orders for settling a jointure upon the princess of Wales, as far as he is enabled by law, suitable to her high rank and dignity, which he will in proper time lay before his parliament, in order to be rendered certain and effectual, for the benefit of her royal highness." Geo. II. 1737.

"The king hath further commanded us to acquaint your royal highness, that although your royal highness has not thought fit by any application to his majesty, to desire that your allowance of 50,000 l. per annum, which is now paid you by monthly payments, at the choice of your royal highness, preferably to quarterly payments, might, by his majesty's farther grace and favour, be rendered less precarious; his majesty, to prevent the bad consequences, which he apprehends may follow from the undutiful measures, which, his majesty is informed, your royal highness had been advised to pursue, will grant to your royal highness for his majesty's life, the said 50,000 l. per annum, to be issued out of his majesty's civil-list revenues, over and above your royal highness's revenues, arising from the dutchy of Cornwall; which his majesty thinks a very competent allowance, considering his numerous issue, and the great expences, which do, and must necessarily attend, an honourable provision for his royal family."

And that to this message his royal highness the prince returned a verbal answer; which, according to the best recollection and remembrance of the lords, was in substance as follows.

"That his royal highness desired the lords to lay him with all humility at his majesty's feet; and to assure his majesty, that he had, and ever should, retain the utmost duty for his royal person; that his royal highness was very thankful for any instance of his majesty's goodness to him or the princess, and particularly for his majesty's gracious intention of settling a jointure upon her royal highness; but that, as to the message, the affair was now out of his hands, and therefore he could give no answer to it."

After which his royal highness used many dutiful expressions towards his majesty, and then added, "Indeed, my "lords, it is in other hands; I am sorry for it," or to that effect.

His

Geo. II. 1737.

His royal highneſs concluded with earneſtly deſiring the lords to repreſent his anſwer to his majeſty in the moſt reſpectful and dutiful manner."

The motion is loſt on a diviſion.

This meſſage made various impreſſions upon the houſe, and the oppoſition affected to treat the whole of it as a wicked artifice of the miniſter to divide the royal family, the better to ſupport his own power. The beſt ſpeakers in the houſe intereſted themſelves in this debate; but the queſtion being called for, a negative was put upon it, by a majority of 234 againſt 204.

The ſame motion loſt in the houſe of peers.

On the 25th of February the ſame motion was made in the houſe of peers by lord Carteret; and the duke of Newcaſtle preſented from his majeſty the ſame meſſage that ſir Robert Walpole had delivered to the commons, and a like debate followed; but a negative was put upon the motion by a majority of 79 peers preſent and 24 proxies, againſt 28 peers preſent and 12 proxies; upon this a proteſt was entered by 14 peers[a].

His

[a] On the 9th of February it was reſolved in a committee of ſupply, that 10,000 men ſhould be employed in the ſea-ſervice for the year 1737, beginning from January 1, 1736. That a ſum not exceeding 4l. a man per month ſhould be allotted for maintaining the ſaid 10,000 men for 13 months, including the ordnance for ſea-ſervice; and that a ſum not exceeding 21,920l. 6s. 5d. ſhould be granted to his majeſty for the ordinary of the navy (including half-pay to the ſea-officers) for the year 1737. It was likewiſe reſolved, that the number of effective men to be employed for guards and garriſons in Great Britain, and for Guernſey and Jerſey, for the year 1737, ſhould be (including 1815 invalids and 555 men which the ſix independent companies conſiſt of for the ſervice of the Highlands) 17,704 men, commiſſion and non-commiſſion officers included. That a ſum not exceeding 647,549l. 1s. 3½d. ſhould be granted to his majeſty for maintaining his majeſty's forces and garriſons in the plantations, Minorca, and Gibraltar, and for proviſions for the garriſons of Annapolis Royal, Canſo, Placentia, and Gibraltar for the year 1737. 79,723l. 9s. 3d. was granted for the charge of the office of ordnance, for land ſervice; 62,401l. 2s. 6½d. was granted to ſupply the deficiency of laſt year's grants; 10,043l. 3s. 10d. was granted to replace to the ſinking fund the like ſum paid out of the ſame to make good the deficiency of the additional ſtamp duties at Chriſtmas 1735; and 42,187l. 10s. was granted on account of the ſubſidy payable to the king of Denmark. March the 4th, the committee of ſupply reſolved, and their reſolutions were agreed to by the houſe, to grant 21,707l. 5s.

His royal highneſs the prince of Wales, having now been prevailed upon to enter, in ſome meaſure, into the views of the oppoſition, it became the general opinion, that the miniſter could not long hold his power. Some other great men about the ſame time began to be uneaſy; amongſt theſe was John duke of Argyle, elder brother to the earl of Ilay. Geo. II. 1737. Oppoſition encreaſes.

This nobleman was born a ſoldier, an orator, and a wit; and he excelled in all three capacities, being deſcended from a family that had been very ſeverely and unjuſtly treated by that of the Stuarts. He entered early into all the meaſures formed by the friends of the revolution for the ſupport of that eſtabliſhment. He was but juſt of age when he preſided, with great addreſs and wiſdom, as her majeſty's commiſſioner in the Scots parliament that ſat in 1705, and was indefatigable in his zeal for the union. After this he ſerved abroad under the duke of Marlborough with ſuch high reputation and ſucceſs, that many of his friends thought that his grace was ſomewhat jealous of the duke of Argyle's glory. The latter, who was a man of very ſtrong paſſions and reſentments, went a little himſelf into the ſame opinion; nor did Character of John duke of Argyle.

5s. 10d. upon account of out-penſioners of Chelſea hoſpital for the year 1737; and 56,413l. 14s. 3d. was granted for defraying ſeveral extraordinary ſervices and expences in 1735 and 1736; and 16,000l. at the ſame time was granted for the ſupport of the royal hoſpital at Greenwich. On the 9th of the ſame month the houſe agreed with the committee in reſolving, That the ſum of one million ſhould be granted to his majeſty towards redeeming the like ſum of the increaſed capital of the South-ſea company, as it is now commonly called, old South-ſea annuities. On the 19th, 20,000l. was granted towards ſettling and ſecuring the colony of Georgia, and 10,000l. for maintaining the Britiſh forts and ſettlements belonging to the royal African company of England upon the coaſt of Africa; 40001. was granted towards repairing and finiſhing Weſtminſter Abbey: 44,685l. 2s. 6d. was granted on account for reduced officers of his majeſty's land forces and marines for the year 1737; and 3915l. for paying the widows penſions of ſuch reduced officers of his majeſty's land-forces and marines as died upon the eſtabliſhment of half-pay in Great Britain, who were married to them before the 25th of December 1716. The laſt ſum granted by the committee of ſupply, and agreed to by the houſe, was 50,000l. towards the building and repairing of the ſhips of the royal navy for the year 1737. The whole of the grants this ſeſſion, beſides the million for redeeming ſo much of the South-ſea capital, amounted to 2,025,173l. 9s. 9¾d.

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Geo. II. 1737. he ever after the year 1709 cordially eſpouſe the duke of Marlborough's meaſures, and at the ſame time he both hated and deſpiſed the tory miniſtry. Notwithſtanding all this, the luſtre of his rank, and the merit of his perſon, joined to an open magnanimity peculiar to himſelf, bore him out againſt all oppoſition; and at the time now treated of, the earl of Orkney being dead, he was at the head of the army and the heigth of military reputation. He had, for ſome years, generally ſpoke and voted for the meaſures of the government; though it is certain that he always had a ſecret diſguſt at ſir Robert Walpole. Several reaſons were aſſigned for this; but the true one ſeems to have been, that he thought the miniſter's power was too great to be conſiſtent with that reſpect that ought to be paid to the great nobility and landholders of the kingdom. One thing was peculiar in his character, which was the moderation he ſhowed towards the favourers of the houſe of Stuart, notwithſtanding his averſion to the family and their principles. This moderation had been ſo remarkable, as to give a handle to his enemies to bring him under a cloud with his late majeſty; but he ſoon ſhone out with greater luſtre than ever.

Journals of the commons. National debt.

The whole of the national debt, as delivered to the houſe of commons March 18, amounted to 47,855,948l. 3s. 3½d. and ſome gentlemen thinking that the intereſt paid for it was too great, ſir John Barnard, on the 21ſt of March, moved in the committee of ſupply, "that his majeſty be enabled to raiſe money either by ſale of annuities for years or lives, at ſuch rates as ſhould be preſcribed, or by borrowing at an intereſt not exceeding 3 per cent. to be applied towards redeeming old and new South-ſea annuities; and that ſuch of the annuitants as ſhould be inclined to ſubſcribe their reſpective annuities ſhould be preferred to all others."

Debates on reducing the intereſt.

Though this motion, and the arguments urged in favour of it, were founded upon undeniable principles of public utility, which have been, ſince that time, ſo happily juſtified by practice, yet it is incredible what a popular ſtorm was raiſed amongſt the annuitants, who were very numerous, againſt the friends of the motion. Though the miniſter was, at the bottom, convinced of the juſtice and expediency of the meaſure, yet he was very ſhy of encouraging or giving way to the motion till the public could be brought to a better diſpoſition to bear it. But the arguments in favour of the meaſure were ſo forcible, that he was obliged to give way; and on the 30th of March ſir Charles Turner reported from the committee

mittee of the whole houſe, to whom it was referred to conſider of the national debt, Geo. II. 1737.

"That it is the opinion of the committee, that all the public funds redeemable by law, that carry an intereſt at 4 per cent. per annum, be reduced according to the reſpective proviſo's or clauſes of redemption, contained in the acts of parliament for that purpoſe, or, with conſent of the proprietors, be converted into an intereſt or annuity not exceeding 3 per cent. per annum, not redeemable till after 14 years.

"That his majeſty be enabled to borrow from any perſon or perſons, bodies politic or corporate, any ſum or ſums of money at an intereſt not exceeding 3 per cent. to be applied towards redeeming the national debt."

Upon reading the firſt reſolution a ſecond time, ſome friends of the miniſter moved, that the conſideration of the report ſhould be adjourned for a fortnight. But a negative was put upon this motion by a majority of 220 againſt 157. Upon this it was moved that the reſolution ſhould be re-committed; and it was agreed to, as was the ſecond, by the houſe without any diviſion. Motion on the ſame. Journal of the houſe of commons.

Though theſe reſolutions had received a form different from what ſir John Barnard originally moved for, yet they were thought to contain a good introduction to the leſſening of the national debt; and upon their being agreed to, ſir John Barnard moved,

"That that houſe would, as ſoon as the intereſt of all the national redeemable debt ſhould be reduced to 3 per cent. per annum, take off ſome of the heavy taxes which oppreſs the poor and the manufacturers."

Though this motion was very plauſibly introduced and ſupported, yet it was built upon principles which the generality of the houſe could not agree to. For it ſuppoſed a fact that was denied, that the public taxes fell more heavy upon the poor and the manufacturers in England than in any other country; neither did it appear to the ſatisfaction of gentlemen, that the redeemable part of the national debt being reduced to pay an intereſt of only 3 per cent. could compenſate for the loſs the government muſt be at if the taxes that fell heavy upon the poor and manufacturers, ſuch as ſoap, candles, leather, ſalt, were taken off. But above all, the motion was deficient in point of form and regularity. Becauſe as no body ſuppoſed that the reduction mentioned in the motion could take place that ſeſſion, and as it might happen not to take place even during that parliament, ſhould the houſe have agreed

Geo. II. 1737.

agreed to it, they muſt, in effect, have undertaken for a future ſeſſion, if not for a future parliament. Upon the whole, therefore, the motion, after long debate, was thrown out by a majority of 206 againſt 142; for the progreſs which the reduction of the intereſt had made occaſioned ſo great a noiſe as alarmed the miniſter, who now found himſelf obliged to oppoſe the bill itſelf.

Sir Robert Walpole oppoſes the ſcheme.

For on the 22d of April, when ſir John Barnard preſented the bill according to order, the ſecond reading was put off till the 29th; at which time a motion being made for committing it, ſir Robert Walpole publicly declared, "that he had had no hand or concern in the formation of the ſcheme either in its original ſhape nor in that in which it now appeared; and that he never had, either in public or private, any conference with ſir John about that, or any other, ſcheme." Sir John replied pretty ſmartly to this; and a debate enſued, in which the miniſter and his friends carried the queſtion againſt committing the bill by a majority of 249 againſt 134. The other matters that happened in this ſeſſion of parliament, are not of importance enough to be particulariſed. A long debate, as uſual, happened upon the number of land forces to be kept up; but little new matter was offered on either ſide; excepting that the oppoſition in both houſes charged the diſorders and tumults that had lately happened, to the diſlike the people had conceived againſt the numerous army that was kept up, and the great load of taxes they were obliged to pay for maintaining them. The miniſterial party, on the other hand, endeavoured to throw all the blame upon the ſeditious practices of their oppoſers; and maintained, there was then no ſafety for any well-wiſher to his majeſty but in the neighbourhood of the army, or part of it. The number propoſed was continued by a majority of 246 againſt 178.

Account of the play-houſe act.

Before the account of the proceedings of this ſeſſion is cloſed, it is proper to obſerve, that a bill paſſed in it for reſtraining the number of playhouſes, that had been ſo lately and ſo juſtly complained of, and for ſubjecting all dramatical performances exhibited on the ſtage, to a licenſe from the lord chamberlain of his majeſty's houſhold before they could be acted. The firſt part of this bill was agreeable to the ſentiments and deſires of the city of London, and of all the ſedate, induſtrious part of the nation; and the power of licenſing added very little to that which the lord chamberlains of the houſehold had immemorially enjoyed and exerciſed.

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The truth is, the miniſter and his friends had been, paſt all ſufferance, provoked by exhibitions upon the theatre; and a needy writer, who had compoſed a kind of comedy which inſulted them ſtill more, had artfully found means to convey it into his hands in hopes of receiving a conſiderable ſum for ſuppreſſing it. But he was deceived; for the miniſter, by producing and reading ſome part of it in the houſe, made it an argument for falling upon ſome more effectual method for regulating the ſtage, which was propoſed to be done by the bill in queſtion. This was oppoſed by his enemies, who repreſented it as an indirect violation of the liberty of the preſs; and the earl of Cheſterfield oppoſed it as ſuch by a ſpeech in which all the powers of eloquence were diſplayed to the utmoſt advantage, both in compoſition and delivery. The bill, however, paſſed both houſes; nor has the public yet felt any of the melancholy effects that were foretold upon its being carried into execution. Geo. II. 1737.

On the 21ſt of June his majeſty put an end to the ſeſſion by a ſpeech, in which he mentioned the licentiouſneſs of the times, "which, ſaid he, under the colour and diſguiſe of liberty, you cannot be inſenſible what ſcandal and offence it gives to all honeſt and ſober men, and how abſolutely neceſſary it is to reſtrain this exceſſive abuſe by a due and vigorous execution of the laws. Defiance of all authority, contempt of magiſtracy, and even reſiſtance of the laws, are become too general, although equally prejudicial to the prerogative of the crown and the liberties of the people; the ſupport of the one being inſeparable from the protection of the other. I have," continued he, "made the laws of the land the conſtant rule of my actions; and I do with reaſon expect in return all that ſubmiſſion to my government and authority, which the ſame laws have made the duty, and ſhall always be the intereſt, of my ſubjects." Seſſion ended.

The lord chancellor then prorogued the parliament to the 4th of Auguſt, and by various ſubſequent prorogations, to the 24th of January enſuing.

The domeſtic events of this important year were various and affecting. A ſpirit of charity and benevolence broke out amongſt all ranks of people, and was led on by the example of his royal highneſs the prince of Wales, who in January ſent 500l. to the releaſing poor freemen of London out of priſon for debt; and many ſcores of priſoners for debt were diſcharged by the charitable bequeathments of one Mr. Wright, a gentleman of a great fortune who died at Newington. A royal infirmary at Edinburgh, for the maintenance Domeſtic occurrences.

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Geo. II. 1737.

of the ſick, was by his majeſty's charter incorporated, and met with great ſucceſs. Mr. Oglethorpe, about the ſame time, returned from Georgia, with an account of the promiſing ſtate of that favourite colony, where the Indians had ſubmitted to his majeſty's authority: the Spaniſh governor of Florida, and the council of war reſiding at St. Auguſtine, had ſigned a treaty with the colony; and beſides the town of Savannah, which was now in a flouriſhing ſtate, three other towns, Frederica, Auguſta, and Darien were founded, and a new town, called Ebenezer, had been built by the Salzburghers, who had been obliged to leave their country by the perſecution of its government on religious and civil accounts.

Profligacy of the common people.

On the other hand, never were the common people known to be ſo diſſolute and turbulent. All the penalties of the law were inſufficient for reſtraining them from the uſe of pernicious ſtrong liquors; and the examples of juſtice which were made by the magiſtrates on that account, were repreſented by the enemies of the government as ſo many acts of oppreſſion and cruelty. The truth is, that the law, as it then ſtood, was a little too ſevere upon the retailers of ſpirituous liquors; becauſe it admitted of no alleviation through accident or inadvertency of 100 l. fine for the ſmalleſt quantity ſold by retail. This was productive of very bad conſequences; for though ſome of the offenders were able to pay the penalty, yet many more being unable, they became deſperate, and betook themſelves to unlawful courſes of life. Hence it was, that executions for robberies and murders of the moſt ſhocking kinds now became frequent; and the government ſoon became ſenſible, that the ſeverity of the law againſt dram-drinking would render it ineffectual.

King's arrival from Germany.

On the 15th of January his majeſty arrived from Hanover at St. James's; and in a grand council which was immediately held, her majeſty ſurrendered to him her commiſſion to be ſole guardian of the kingdom in his abſence; and on the 18th their majeſties received the compliments of the city of London in two very long ſpeeches made by the recorder. His majeſty, however, was ſo much indiſpoſed with the fatigue of his late journey, that he kept his apartment for ſome days, and opened the parliament by commiſſion.

Death of the archbiſhop of Canterbury.

About this time died doctor Wake, archbiſhop of Canterbury. He was a wiſe and a moderate prelate, and had acquired great reputation by his writings againſt Atterbury afterwards biſhop of Rocheſter, upon the rights and privileges of the convocation. His ſucceſſor was doctor John Potter, biſhop of Oxford, whoſe promotion was obnoxious to no party;

party; and who made a greater figure by his excellent account of the Greek antiquities, than he did by his polemical or theological writings. Geo. II. 1737.

Riot of the footmen.

Amongſt the many irregularities this ſpring produced, none was more inſolent than a conſpiracy amongſt the footmen in London and Weſtminſter, which went to ſo daring a height, that notwithſtanding the preſence of their royal highneſſes the prince and princeſs of Wales and others of the royal family, they attempted by force to poſſeſs themſelves of a gallery in the playhouſe. A great number of people were wounded upon this occaſion; and it was with the utmoſt difficulty that colonel Deveil, the Weſtminſter juſtice of the peace, aſſiſted by a party of the guards, could quell them. This inſolence was in a great meaſure owing to the diſcredit which the magiſtrates of Weſtminſter at this time had incurred with the lower ranks of people. Moſt of the acting juſtices, being men of needy fortunes, ſought to mend them by making a trade of their duty; which being no ſecret to the commonalty, rendered them at once hated and deſpiſed.

Arrival of ſir John Norris from Portugal.

In the month of April this year, ſir John Norris, after an effectual expedition, arrived ſafe from Liſbon at Portſmouth. The mediation of his fleet had perfectly re-eſtabliſhed a good correſpondence between the crowns of Spain and Portugal; and his Portugueze majeſty, at taking leave of ſir John, expreſſed himſelf in terms of the moſt lively gratitude towards his Britannic majeſty and the Engliſh nation. But in proportion as the nation felt the benefit of the ſeaſonable relief ſent to the Portugueze, they became ſenſible of the neceſſity of breaking with Spain, if his Catholic majeſty did not ſhew more ſincerity in the cedulas he diſpatched to his governors in America, or employ more power to enforce them. Another foreign power at this time fell under the diſpleaſure of the Engliſh government. For the ſtate of Venice having ſhewn great marks of honour and reſpect to the eldeſt ſon of the pretender to his majeſty's crown and dignity, their reſident at London received orders from court to leave England in three days; and he accordingly ſet out for Dover in the company of a meſſenger of ſtate. The inſult was thought to have been committed at the private inſtigation of the court of Spain.

Venetian reſident ſent out of England.

Relation of the difference in the royal family.

On the 31ſt of July, the princeſs of Wales, who was very far advanced in her pregnancy, but not thought to be ſo near her time as ſhe really was, being with their majeſties and the reſt of the royal family at Hampton Court, but without any midwife attending her, felt the pains of child-birth,

Geo. II. 1737. which came ſo ſuddenly and ſo violently upon her, that the prince, who was with her, was obliged to hurry her to London, where ſhe was that night delivered of a daughter, the princeſs Auguſta. Next morning, ſhe was viſited by her majeſty, and the ladies of her court. A few days after, their majeſties received the compliments of the city of London, and other great bodies in the kingdom, upon that joyful occaſion, and they were accepted very graciouſly.

It would be too great preſumption to ſay that their majeſties had, at this time, conceived any prepoſſeſſion againſt his royal highneſs for the manner in which an augmentation of his revenue had been puſhed for in the houſe of commons; but it is certain that his majeſty, as appeared by his meſſages to the two houſes on that occaſion, thought the prince was forming connections no way favourable to the views of his miniſtry. Be this as it will, the prince certainly ſuſpected that their majeſties would take amiſs his abrupt departure from Hampton Court; for when the queen and the princeſſes came to the birth, he laboured to perſuade them, that all that had happened was through the uncertainty of the phyſicians and midwife as to the time of the delivery of the princeſs; and he repeated the ſame apology to lord Harrington and ſir Robert Walpole, who attended the birth on the part of his majeſty, but arrived too late to be preſent at it. Notwithſtanding this juſtification, his royal highneſs, who then reſided at the palace of St. James's, received, on Auguſt the 3d, a meſſage from his majeſty by the earl of Eſſex, one of the lords of the bedchamber, congratulating him upon the birth of the princeſs, but acquainting him, "that his carrying away the princeſs from Hampton Court, the then reſidence of the king, the queen, and the royal family, under the pains and certain indication of immediate labour, to the immediate danger and hazard both of the princeſs and her child, and after ſufficient warning for a week before, to have the neceſſary preparations for that happy event, without acquainting his majeſty or the queen with the circumſtances the princeſs was in, or giving them the leaſt notice of his departure, was looked upon by his majeſty to be ſuch a deliberate indignity offered to himſelf and the queen, that he reſented it to the higheſt degree." His royal highneſs endeavoured to clear himſelf, by repreſenting the neceſſity of leaving Hampton Court without a minute's delay, conſidering the condition the princeſs was in. This he did in two letters, one addreſſed to his majeſty, and the other to the queen, both wrote in a moſt dutiful, filial ſtrain. He repeated his importunity

tunity for a reconciliation in a very humble meſſage he ſent next day by the marquis of Carnarvon, one of the lords of his bedchamber. He received no return to his applications but a meſſage by the earl of Dunmore, that it was his majeſty's pleaſure the baptiſm of the young princeſs ſhould be performed on the 29th, and that he would ſend his lord chamberlain to ſtand as godfather in his place; that the queen's lady of the bedchamber would ſtand for her majeſty as godmother; and deſiring the princeſs to appoint one of the ladies of her bedchamber to repreſent the ducheſs dowager of Sax-Gotha as the other godmother; the ceremony to be performed by the archbiſhop of Canterbury. Geo. II. 1737.

The prince took occaſion, from this meſſage, to reiterate his application for reconciliation and pardon with more earneſtneſs and humility than ever, both to the king and queen. But on the 10th of September following he received, by the duke of Grafton, a very ſevere meſſage from the king, reproaching him again for hurrying the princeſs, in the manner he did, from Hampton Court; and concluding with the following remarkable expreſſions.

"The whole of your conduct for a conſiderable time, has been ſo entirely void of all real duty to me, that I have long had reaſon to be highly offended with you. And until you withdraw your regard and confidence from thoſe by whoſe inſtigation and advice you are directed and encouraged in your unwarrantable behaviour to me and the queen, and until you return to your duty, you ſhall not reſide in my palace; which I will not ſuffer to be made the reſort of them, who, under the appearance of an attachment to you, foment the diviſion which you have made in my family, and thereby weaken the common intereſt of the whole.

"In this ſituation I will receive no reply; but when your actions manifeſt a juſt ſenſe of your duty and ſubmiſſion, THAT may induce me to pardon what at preſent I moſt juſtly reſent. In the mean time it is my pleaſure that you leave St. James's, with all your family, when it can be done without prejudice or inconvenience to the princeſs. I ſhall, for the preſent, leave to the princeſs the care of my grand-daughter, until a proper time calls upon me to conſider of her education."

This meſſage admitting of no reply to the king, his royal highneſs ordered lord Baltimore, one of his domeſtics, to apply to lord Grantham, chamberlain to the queen, to know whether her majeſty would receive a letter from him,

Geo. II. 1737. in mitigation of his conduct: But her majeſty declining that; the princeſs ſent ſir William Irby with a letter to be delivered to his majeſty by the earl of Pembroke, the lord in waiting, and which his majeſty anſwered in terms full of affection and civility to the princeſs; but it was plain that his diſpleaſure at the conduct of the prince was rather encreaſed than abated. The princeſs in like manner wrote in the moſt ſubmiſſive manner to the queen, who returned her a moſt affectionate anſwer; but inſinuated, that the king had more cauſe to be diſpleaſed with the prince, than either ſhe or the public apprehended.

Reflection upon the differences in the royal family.

Thus ended a correſpondence which, as ſoon as it was over, was printed by authority, and left various impreſſions upon the minds of the public. Moſt men of ſenſe and candor, who were in a ſituation to judge diſpaſſionately and diſintereſtedly, thought, and did not ſcruple to ſay, that both his majeſty and the prince were impoſed upon by thoſe who found their account in their differences; and they lamented the breach between them being of ſuch a nature as did not admit of its being healed by a perſonal interview. But the conduct of his royal highneſs cannot be known ſo properly as by exhibiting a view of his character and connections at this time.

Character of the prince of Wales.

During his education in Germany, after he came to the years of thinking for himſelf, he applied with great aſſiduity to the ſtudy of the conſtitution and intereſts of Great Britain. But when he came to England, he found the public itſelf ſo much divided upon thoſe important points, that he applied for farther information to thoſe who were moſt likely to give it him. He was naturally fond of the fine arts. He underſtood, and ſometimes practiſed, muſic; he knew what was graceful in architecture, painting, and ſculpture, and he underſtood Engliſh poetry far beyond what could have been expected from his education. He was paſſionately fond of virtuous popularity, and his ſoul was beneficence itſelf. With ſuch diſpoſitions, it was no wonder, after he came to England, that he devoted himſelf to the ſtudy of every art that could make him agreeable to the people whom he had a proſpect of reigning over. All ranks met his ardor with equal affection. He gave every day proofs of every virtue as a huſband, a friend, and a maſter; and like Titus, none ever went out of his preſence diſſatisfied. His judgment in public matters was ſound; but being bred abroad, he was too diffident, and he applied for information to thoſe who he thought were furniſhed with the greateſt abilities, and whom his own magnanimity and unſuſpecting nature kept him from believing they

ever

ever could impoſe upon him. Their intention was otherwiſe, but they were deeply prepoſſeſſed againſt the miniſter, and they promiſed him great advantages in point of fortune and independency, if he would join in the oppoſition. After their efforts of doubling his revenue had failed, they applied to his paſſions, which were virtuous and liberal. They repreſented the miniſter as the only enemy his royal father had in the kingdom; and many other circumſtances concurred in his prepoſſeſſions againſt him. Geo. II. 1737.

His miſinformations.

Lord Bolingbroke was then reckoned the greateſt writer in proſe and in politicks in the kingdom. Mr. Pope was eſteemed the greateſt wit and poet: the former was the determined, and perſonal, enemy of the miniſter; and the latter profeſſed a fixed averſion to the court. Moſt of the men of wit and genius, diſobliged or diſguſted with the miniſter's too great inattention to their merits, joined the ſame party; and thus his royal highneſs was, from the goodneſs of his heart, led to think, that the cauſe of oppoſition was that of liberty. He, therefore, without any diſguiſe, put himſelf at the head of the meaſures intended to diſtreſs the miniſter, but without the leaſt indecency offered either as a ſon or a ſubject to his royal parents. Perhaps his great regard for them, induced him to agree to ſchemes which he thought would eſtabliſh the conſtitution in contradiction to the government, a doctrine, at that time, greatly in vogue.

Diſquiets of the nation.

It is certain, that the notion of his royal highneſs having put himſelf at the head of the oppoſition, operated fatally for the internal quiet of the kingdom. The Scots were exaſperated to the laſt degree on account of the bill, mild as it was, that had paſſed againſt the provoſt and city of Edinburgh. The act, which was made for diſcovering the murderers of Porteous, was received by the clergy, who were obliged to read it from their pulpits with the utmoſt abhorrence; and many of them told their auditories, "that though they were obliged to read, the others were not obliged to hear;" and therefore it was commonly read to bare walls; and in ſome places the reading it was even diſregarded; while in others, the power of parliament, to enact ſuch a reading, was queſtioned, and ſet aſide.

on account of the gin act,

The complaints and hardſhips which the lower ranks of people ſtill continued to ſuffer, by the ſeverity of the late bill againſt drinking ſpirituous liquors, added to the general diſcontent; and all was placed to the account of the miniſter. Too much encouragement to informers, thoſe peſts of ſociety, had been given by the act; in many places they were

Geo. II. 1737. assaulted, and, in some, they were in danger of their lives. The commissioners of the excise were sensible of the hardships they were daily forced upon with regard to offenders; and policy, as well as humanity, obliged them to mitigate the severity of the law, which was now become odious and contemptible.

and the Spanish depredations.

But the greatest and most lasting source of national discontent lay in the depredations, which the Spaniards still continued to commit upon the properties of English subjects in the West Indies and America. Three very rich ships had been lately taken by their guarda costas; the George, belonging to Bristol, the Dispatch and the Royal Jane, belonging to London; and this fresh insult upon national property occasioned an application from the merchants personally to his majesty, which was in the following terms:

Petition upon the latter,

"That the fair and lawful trade of your majesty's subjects to the British plantations in America, hath been greatly interrupted for many years past, not only by their ships having been frequently stopped and searched, but also forcibly and arbitrarily seized on the high seas, by Spanish ships fitted out to cruize, under the plausible pretence of guarding their own coasts: that the commanders thereof with their crews, have been inhumanly treated, and their ships carried into some of the Spanish ports, and there condemned with their cargoes, in manifest violation of the treaties subsisting between the two crowns."

"That notwithstanding the many instances made by your majesty's ministers at the court of Madrid, against this injurious treatment, the late and repeated insults of the Spaniards upon the persons and properties of your majesty's subjects, lay your petitioners under the necessity of applying again to your majesty for relief."

"That by these violent and unjust proceedings of the Spaniards, the trade to your majesty's plantations in America is rendered very precarious; and if any nation is suffered thus to insult the persons of your majesty's subjects, and plunder them of their property, your petitioners apprehend, it will be attended with such an obstruction of that valuable branch of commerce, as will be very fatal to the interest of Great Britain."

"Your petitioners, therefore, humbly pray your majesty, that your majesty will be graciously pleased to procure speedy and ample satisfaction to your subjects for the losses they have sustained, and that no British vessel be detained or seized on the high seas by any nation, on any pretext whatsoever;

ſoever; and that the trade to America may be rendered ſure for the future, by ſuch means as your majeſty in your great wiſdom ſhall think fit." Geo. II. 1737.

Though this petition was highly exceptionable, both in point of matter and decency, yet his majeſty received and anſwered it with the utmoſt marks of paternal goodneſs, and his ſecretary of ſtate ſent freſh orders to Mr. Keene, to repeat his inſtances at the court of Madrid, for their relief. In the mean while, a committee of the privy council ſat at Whitehall, and ſuffered the proofs of the loſſes, which the merchants had ſuffered by the Spaniards. referred to the privy council.

This year was diſtinguiſhed by the fatal calamity of the death of Wilhelmina Carolina, queen conſort of Great Britain, in the 55th year of her age. Her majeſty had been for ſome days diſordered, and received medicines for the gout in her ſtomach, but the diſtemper proved to be a concealed rupture, which put an and to her life on the 20th of November. No princeſs ever lived more in the love and eſteem of all who knew her, than ſhe did. Her conjugal affection was exemplary; and her parental was proved by the numerous virtues which adorned her offspring. It was lamented that the nature of the breach between the king and the prince of Wales, did not, in her opinion, admit of his receiving in perſon the laſt teſtimonies of her affection; but the manner of her death, which was pious and edifying, ſufficiently ſpoke her at peace with all the world. Death and character of queen Caroline.

But her majeſty was not diſtinguiſhed by the private virtues alone. Her royal conſort, in her, always found a wife and a faithful counſellor; and when ſhe was entruſted, as ſhe often was, with the reins of government, the public was happy under her adminiſtration. Her natural ſagacity and talents were improved by reading and converſing with the moſt eminent philoſophers and authors of the age, and ſhe had made ſo great a progreſs in literature, that ſhe became an umpire in one of the moſt abſtruſe points of metaphyſical reaſoning that ever was agitated; the doctrine of Free Will and Fatality, as diſputed between Mr. Leibnitz and doctor Clarke. This turn for letters had ſo happy an effect, that the ingenious were always ſure of her patronage; and through that, the bench of biſhops was filled up with prelates, eminent for learning and moderation.

His majeſty for ſome time was inconſolable for his loſs, and never was there a more univerſal and ſincere mourning, than appeared upon this melancholy occaſion; nothing being wanting that could teſtify the concern of the public. Her

Geo. II. 1737. body was depoſited with the proper funeral ceremonies, in a new vault in Henry the VIIth's chapel.

Her burial.

The foreign events which happened this year, were very little intereſting to Great Britain. The French carried their favourite point, of an immediate ceſſion of Lorrain, in favour of king Staniſlaus, the poſſeſſion after his death to revert to that crown; and, about the ſame time, they delivered up to the Germans fort Kehl and Philipſburgh; after demoliſhing the works they had added to their fortifications. This was the greateſt event that happened under the adminiſtration of cardinal Fleury, who, at the ſame time, procured the total diſgrace and exile of Chauvelin, the keeper of the ſeals of France, and miniſter and ſecretary of ſtate for foreign affairs. He fell a ſacrifice to the cardinal's paſſion for peace; and in that he was ſo ſucceſsful, that in the beginning of the year he prevailed upon the Spaniards to evacuate Italy, and to reimbark their troops at Leghorn. He even interpoſed in the differences between Great Britain and Spain, with regard to the navigation in the American ſeas, and made ſome overtures at the court of Great Britain, as if his moſt Chriſtian majeſty would procure a freedom of trade in the Spaniſh American ſeas, provided Gibraltar and Portmahon were reſtored to the crown of Spain. But this being a propoſition, which was not in the breaſt of the miniſter, either to receive or approve of, the ſame was dropt. The cardinal was now in the height of his power and credit. But all was not ſufficient to prevent France being now filled with inteſtine commotions, ſometimes on account of religion, and ſometimes occaſioned by the ſcarcity of proviſions, which the country people aſcribed to the arts of engroſſers, who were protected by the government.

Foreign affairs.

Lorrain ceded to France.

Propoſals of mediation by France, dropt.

War between the Ruſſians and Turks, and between the Turks and Germans.

This year, a war broke out between the Turks and the Ruſſians, and between the Turks and the Imperialiſts. The Ruſſian army was commanded by count Munich, who carried on the campaign with great ſucceſs and glory. For he beſieged and took Oczakow, one of the ſtrongeſt cities in the Turkiſh dominions, garriſoned by 20,000 of their beſt troops. This ſucceſs, which was in a great meaſure owing to the valour of general Keith, brother to the earl mareſchal of Scotland, coſt the Ruſſians very dear, and diſabled Munich from carrying his conqueſts farther. At the ſame time, general Laſci, at the head of another Muſcovite army, marched towards Precop, with a deſign to carry the war into Crim Tartary, which he effected.

Though

Though theſe operations were carried on in concert with the Imperialiſts, the latter were far from being ſo ſucceſsful. The duke of Lorrain had nominally the command of their army, but count Seckendorff, an old man and a proteſtant, was the acting general. The emperor had given him this command, in compliment to the diet of the empire, by whom he was aſſiſted in the war. The ſcheme of operations was, that Seckendorff ſhould advance with the main body of the army, and attack Widin upon the Danube. But finding that place too advantageouſly ſituated to be reduced, without a ſquadron of ſhips, he ſuddenly attacked Niſſa, one of the ſtrongeſt towns upon the Turkiſh frontier, which ſurrendered. The reſt of the campaign on that ſide was unfortunate for the Imperialiſts. The exceſſive heats killed great numbers of their men, and Seckendorff, through the management of the Roman Catholic party and the jeſuits, had not the proper ſupplies of either men or money. Being obliged to divide his army, he formed with one part of it the blockade of Widin, which he was forced to abandon with loſs. The baron de Raunach, another Imperial general, having penetrated, at the head of 6000 men, into Croatia, was entirely routed, and the prince of Saxhilburghauſen, who had formed the ſiege of Bagnalac, was defeated by a ſuperior body of Turks, who deſtroyed the beſt part of his army, which conſiſted of 14,000 men. Theſe repeated loſſes threw the court of Vienna into conſternation; Seckendorff was ordered home to account for his conduct, and the command was given to velt-marſhal Philippi. Notwithſtanding thoſe and a great many other important advantages gained by the Turks on the ſide of Boſnia and Servia, their government ſeemed very deſirous of a peace; and ſome conferences on that head had been held at Niemeren; but as the Ruſſians inſiſted upon keeping poſſeſſion of Aſoph and Oczakow, they proved fruitleſs; and all parties went into winter quarters.

Geo. II. 1737.

Unſucceſsful with the latter.

In July, this year, died the great duke of Tuſcany, the laſt of the Medicis family. By the late diſpoſition of affairs, the duke of Lorrain came into the immediate poſſeſſion of that dutchy, and the French were relieved from the burthen of a great annuity, which they had obliged themſelves to pay him, till he ſhould ſucceed to Tuſcany. The Spaniards, at firſt, beheld this ſucceſſion with no favourable eye. Her Catholic majeſty even made ſome advances to the court of Great Britain, and gave it to underſtand, that if England would aſſiſt her in getting the dutchies of Tuſcany, Parma, and Placentia, for her ſon don Philip, Spain would relinquiſh all claim

Death of the duke of Tuſcany.

Ambition of the queen of Spain.

Geo. II. 1737-8. claim upon Gibraltar and Portmahon, and accommodate all commercial differences, greatly to the ſatisfaction of the people of England. But as this overture tended ro renew a war, of which no end could be foreſeen, little attention was paid to her propoſals. Notwithſtanding that, ſhe ſtill found means, by her aſcendency in the councils of the king her huſband, to keep on foot armaments both by ſea and land, which were powerful enough to threaten the quiet of Europe.

The greateſt encouragement ſhe received in continuing her intrigues and preparations for that purpoſe, conſiſted in the known pacific ſentiments of the Engliſh and French miniſtry, and ſhe always flattered herſelf that the court of Great Britain would make any ſacrifice, rather than be obliged to declare war. It was from this conviction, that the depredations upon the Engliſh trade in America ſtill continued, and the more exaſperated the nation appeared at them, ſhe thought herſelf the nearer to her purpoſe. Every Engliſh ſhip that the Spaniards were able to maſter upon the American ſeas, was now taken and confiſcated by them; and they openly made preparations to invade Carolina and Georgia. Notwithſtanding the pacific inclinations of the miniſter, the fleet of England, was, at that time, in excellent order. Four men of war were added to it upon this occaſion, a regiment was ſent to America from Gibraltar, and Mr. Oglethorp had a commiſſion for raiſing another regiment, and was appointed to command againſt the Spaniards, in caſe they made the deſcent they threatened.

Spaniards prepare to invade Georgia.

Parliament opens in 1738.

Matters were thus exaſperated beyond all farther ſufferance between Great Britain and Spain, when his majeſty opened the ſeſſion of parliament on the 24th of January, 1738. His ſpeech upon that occaſion was remarkably ſhort, and exhorted the houſe to unanimity and diſpatch. They, on the other hand, returned him very loyal addreſſes of condolance upon her majeſty's death. The firſt buſineſs of great importance they went upon, was the ſtate of affairs between Great Britain and Spain. His majeſty had referred the examination of the complaints of the Britiſh merchants to a committee of the privy council, where they attempted to make good their allegations. Having no one to oppoſe them, the public unanimouſly took their part; and every day brought freſh accounts of depredations committed upon Britiſh ſubjects, not only in the American, but in the European ſeas. The court of Spain did not indeed directly juſtify all thoſe captures, and to give its proceedings an air of moderation,

tion, the crews of three Engliſh ſhips, which had, upon frivolous pretexts, been taken in the Mediterranean, and impriſoned in Spain, were ordered to be releaſed; and in ſome flagrant caſes in the Weſt Indies, the ſhips that had been taken, were releaſed, upon the owners giving ſecurity for the value, if they ſhould be adjudged to be lawful prizes. Yet even theſe condeſcenſions, if they could be called ſuch, trifling as they were, were very ill obeyed on the part of the Spaniſh miniſtry; and it was plain there was a connivance between that crown and its officers, who were to execute its orders and cedulas. Geo. II. 1737-8.

The gentlemen and others in the oppoſition to ſir Robert Walpole, were at great pains to make themſelves maſters of all thoſe circumſtances, and to improve them, by heightening, in the moſt ſkilful manner, every fact of Spaniſh injuſtice and inſolence, that was laid before the public. On the 3d of March this year, a petition was preſented to the houſe of commons from divers merchants, planters, and others, trading to, and intereſted in, the Britiſh plantations in America. As this was intended as the ground-work of the battery to be played off againſt the miniſter, it was penned with great art and aſperity. After recapitulating all that had paſſed in conſequence of former applications of the ſame kind, the petitioners ſet forth, "That the Spaniards had paid ſo little regard to his majeſty's moſt gracious endeavours (to obtain juſtice to his ſubjects) that they had continued their depredations, almoſt ever ſince the treaty of Seville, and more particularly laſt year, had carried them to a greater height than ever, they having arbitrarily ſeized ſeveral ſhips with their effects, belonging to his majeſty's ſubjects, on the high ſeas, in the deſtined courſe of their voyages to and from the Britiſh colonies, amounting to a very conſiderable value; and that the captains or maſters of the ſaid ſhips, were, according to the laſt advices of the petitioners, and are, as the petitioners believe, at this time, confined by the Spaniards in the Weſt Indies, and the crews are now in ſlavery in Old Spain, where they are moſt inhumanly treated; and that cruel nation make it their practice to attack and board all Britiſh merchant-ſhips they meet with in the American ſeas, under pretence of ſearching for goods which they deem contraband, or not according to their own arbitrary will and pleaſure, contrary to the law of nations, and in manifeſt violation of the treaties ſubſiſting between the two crowns. And that by theſe unjuſt and violent proceedings of the Spaniards, the trade and navigation to and from

Petition againſt the Spaniſh depredations.

Geo. II. 1737-8.

from America, is rendered very unſafe and precarious, inſomuch that the inſurance from Jamaica has greatly riſen on theſe accounts only: and that without ſome ſpeedy and effectual remedy, the American trade and navigation will be, together with the revenue of the crown ariſing therefrom, greatly diminiſhed, if not entirely loſt: and farther repreſenting to the houſe, that although his Catholic majeſty has ſtipulated by the treaty of Seville, and by the declaration of 1732, relative thereto, to cauſe reparation to be forthwith made to the unhappy ſufferers, yet there is no inſtance of its having been done; ſo far from it, that whilſt the Britiſh ſubjects have been amuſed with vain and fruitleſs hopes of ſatisfaction, the Spaniards have committed farther inſults and depredations upon them, and ſtill continue the ſame unjuſt practices; and that the cedulas or orders given by the court of Spain to their governors in America, are only calculated, as the petitioners, by experience, have reaſon to apprehend, to evade giving ſatisfaction to the Britiſh ſubjects; for there has never been one of thoſe cedulas complied with, nor any governor recalled or puniſhed for his diſobedience, as the petitioners ever heard: and that for any nation to aſſume the power of detaining or rummaging the Britiſh ſhips, upon their lawful voyages on the American ſeas, is, in effect, as the petitioners conceive, claiming and exerciſing the ſole ſovereignty of thoſe ſeas: and that if the Spaniards be ſuffered to act in this injurious manner, to inſult the perſons of his majeſty's ſubjects, or to plunder them of their property, the petitioners apprehend the ſame will be attended not only with a great obſtruction to this valuable branch of our commerce and navigation, but alſo with conſequences very fatal to Great Britain itſelf: and therefore, as the meaſures hitherto purſued, have proved ineffectual, praying the houſe to take the premiſes into their mature conſideration, and provide ſuch timely and adequate remedy for putting an end to all inſults and depredations on the Britiſh ſubjects, as to the houſe ſhall ſeem meet, as well as procure ſuch relief for the unhappy ſufferers, as the nature of their loſs, and the juſtice of their cauſe require, and that they may be heard by themſelves and council thereupon."

See p. 132, 133.

Other petitions and proceedings.

Such was the leading petition, upon which the Spaniſh war, which ſoon after broke out, was founded. The truth is, the nation was, at this time, ſo heated with reſentment againſt the Spaniards, or hatred to the miniſter, that the moſt groſs calumnies againſt both went down, unexamined and unqueſtioned. But however exaggerated the facts were, it is certain

certain that the principles, upon which the petitioners pro- Geo. II.
ceeded, were highly worthy the attention of the Britiſh na- 1737-8.
tion and legiſlature. The petition itſelf was referred to a committee of the whole houſe, as was another petition to the ſame effect, preſented on behalf of the maſter, wardens, aſſiſtants, and commonalty of the ſociety of merchant-adventurers within the city of Briſtol. On the ſame day, a petition upon a particular caſe was laid before the houſe, and made great noiſe. It was from the owners of the ſhip Ann Galley; which was taken in a time of profound peace, bound from Guinea to Jamaica. This capture, which the owners ſaid was in value ten thouſand five hundred pounds, was ſo flagitious, that the Spaniſh miniſtry again and again ordered reparation to be made to the petitioners, and they actually received upwards of five hundred pounds from the Spaniſh cheſt at St. Jago, by way of compenſation. But that not being near the value of their damages, though the Spaniſh miniſtry had admitted the capture to be illegal, and had even ordered full ſatisfaction to be made to the owners, they therefore brought their petition for relief. Another petition of the ſame kind was preſented at the ſame time, and all of them were referred to the ſame committee.

At laſt it was moved "to addreſs his majeſty for copies of the ſeveral petitions, repreſentations, and memorials, and all other papers, relating to the Spaniſh depredations upon the Britiſh ſubjects, which had been preſented to his majeſty, or had been delivered to either of the ſecretaries of ſtate, ſince the 1ſt of September laſt; with copies of ſuch repreſentations or memorials as had been made, either to the king of Spain or his miniſters; and of the letters written to his majeſty's miniſter at Madrid; and of the anſwers that have been given or received to ſuch memorials, repreſentations, and letters." The miniſter did not oppoſe the ſubſtance or intention of this motion, but he thought that complying literally with it, might diſcover particulars, of which a bad uſe might be made. He therefore inſiſted upon not addreſſing for the anſwers that had been given or received to ſuch memorials, repreſentations, and letters.

This brought on a long debate, in which the cruelties of the Spaniards, and the tameneſs of the Engliſh miniſtry, were equally exaggerated. All the chief ſpeakers on both ſides exerted themſelves upon this occaſion; but the miniſter adhered to his point, that in the then ſituation of affairs, it would be imprudent to plunge the nation into a war, with-

Geo. II. 1737-8.

out trying whether it was poſſible to bring Spain to terms, of which there was then great probability.

After the view that has been exhibited of the diſpute between Spain and Great Britain, it is not to be expected that any of the ſpeeches are to be minutely rehearſed here. All that the oppoſition urged with any appearance of truth, was admitted of by the miniſter, who was more frank on this head than ſome of his friends. Theſe were apt to throw out reflections againſt the ſmuggling trade, which the ſubjects of Great Britain carried on in the Weſt Indies, contrary to treaties, and indeed to the true intereſt of the fair trader. The oppoſition artfully turned this into a reflection upon the whole body of the Britiſh merchants in America, and were always ready to give the moſt ſhocking inſtances, (true or falſe,) of the cruelties of the Spaniards againſt the Engliſh, and that they were of ſuch a nature, as in fact, admitted of no farther treaty. This was ſaying in plain terms, that the miniſter muſt (be the conſequence what it will) enter upon a war. Some of them went even ſo far as to ſay, that the motion was ſo fair and conſtitutional, that it was not ſafe for him to oppoſe it.

When ſir Robert Walpole came to ſpeak for himſelf, he owned with great frankneſs, that the laſt anſwer which had come from the Spaniſh miniſtry, was ſo far from being ſatisfactory, that if the houſe ſhould ſee it, and if (as it unavoidably muſt) it ſhould come to the knowledge of the public, very bad conſequences muſt follow. The parliament and nation, unacquainted with the reaſons which his majeſty and his miniſtry might have for avoiding a precipitate war, would preſs it; and his majeſty muſt either comply, contrary to the true intereſts of his people, or he muſt diſagreeably exerciſe that part of his prerogative, which veſts him with the power of making war or peace. He entreated the gentlemen to conſider, that even though the preſent motion was carried without any amendment, it was in his majeſty's breaſt to comply, or not to comply with it; and if the houſe ſhould addreſs for a paper or papers, which his majeſty and his miniſtry were conſcious ought not to be made public, they muſt lay his majeſty under the hardſhip of refuſing it. He acquainted them, that the Britiſh miniſtry, notwithſtanding the harſhneſs of the laſt anſwer from Spain, had ſent to that court ſome propoſitions, which might ſoften them, and which, in all probability, would ſoon be anſwered. If they were not anſwered to the ſatisfaction of his majeſty, he himſelf would move, that every paper relating to Spain, even their laſt anſwer,

anſwer, ſhould be laid before the houſe; but that, till then, it would be highly improper to comply with the motion. He next made a very artful, though a very honeſt, recapitulation of the late treaties and tranſactions between England and Spain; and he endeavoured to prove, that the ſtiffneſs of the Spaniards was owing to the perplexed ſtate of affairs in Europe ſince the treaty of Seville, which did not admit of the meeting of the commiſſaries for adjuſting the pretenſions on both ſides, ſo as to make a final report of their commiſſion. He obſerved very juſtly, that the ſentiments of certain gentlemen againſt the Spaniards ſince that time, was greatly altered; and that the claims which the Engliſh had upon them, were far from being looked upon either at home or abroad to be ſo clear as they were then repreſented, which appears by their being referred to a congreſs. He next attempted to ſhew, that, ingenuouſly ſpeaking, the Spaniards had hitherto done as much to ſatisfy the Engliſh ſufferers as could be well expected. The diſtance between Madrid and the Spaniſh Weſt-Indies, from whence the proofs muſt be brought, was very great. The Spaniſh governors were extremely inſolent, and in ſome meaſure arbitrary, and independent upon the miniſtry; ſo that it was no wonder if that court ſometimes found difficulty in bringing them to reaſon. He even gave inſtances of ſome Engliſh ſhips that had been abſolutely releaſed by the Spaniards; of others, that had been releaſed upon giving ſecurity to ſtand trial whether they had been engaged in an illicit trade or not; and he mentioned others that the court of Madrid ſeemed very well diſpoſed towards ſatisfying their claims; and to conclude, he was for amending the queſtion that had been moved for. Geo. II. 1737-8.

Sir William Wyndham, and the other heads of the oppoſition, were ſenſible of the advantages they had in an argument which had ſo highly inflamed the paſſions of the nation. They perceived the miniſter aimed at fixing the retroſpect of the Spaniſh depredations no farther back than the treaty of Seville; but they obſerved, that the cauſes of complaints had exiſted for theſe twenty years, and that little or no redreſs having yet been obtained, the houſe ought, for the honour and intereſt of the nation, to be informed of the reaſons, which they could not be, without complying with the motion in its full extent: that the public and the ſufferers had a right to all the ſatisfaction which the houſe could give them; and if they could give them none upon the Spaniards, they ought at leaſt to know who were the authors of their calami-

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Geo. II. 1737-8.

ties at home by a timid diſgraceful conduct, in ſo long delaying to repreſs force with force.

Upon the whole, the open and unreſerved manner in which the miniſter ſpoke, had a great effect upon the houſe, which ſaw that he did not want to put off the time longer than prudence and policy dictated; and upon a diviſion, he carried the queſtion by a majority of 164 againſt 99.

Conduct of Geraldino, the Spaniſh miniſter.

In the mean while Geraldino, the Spaniſh miniſter at the court of England, acted the part of a firebrand; he aſſociated himſelf with the chiefs of the oppoſition, and let them into all the ſecrets that his inſtructions or his correſpondence with his court, could communicate. He made it no ſecret in all public companies, that the Engliſh miniſtry was trifling with, and impoſing upon, the people, in pretending that the court of Spain might be yet brought to any terms, or that ſhe would recede one tittle from her claim of ſearching all ſhips that ſhould be found ſailing by their coaſts in America. His intemperance gave great advantages to the oppoſition; and in the courſe of the debates in both houſes, many facts fell from the gentlemen in the oppoſition, that ought to have been confined to the cabinets of the two kings. It was not long before the miniſtry ceaſed to wonder how they came into poſſeſſion of thoſe facts; and when they found out that it was by Geraldino's means, all they could do was to complain of his imprudence, and to deſire Mr. Keene to lay the indecency and conſequences of his conduct before the court of Madrid. But Geraldino had cunning enough to get that court on his ſide, by repreſenting, that the views and principles even of the miniſter himſelf, and the moſt pacific part of the Engliſh government, were abſolutely inconſiſtent with every maxim of the Spaniſh monarchy, and all the ſecurity of its trade. This information found a ready belief at Madrid, and their miniſters, through Geraldino's advice, became perſuaded, that they could not be ſo effectually ſerved as by his fomenting and encouraging to the utmoſt, the diſcontents of the people of England againſt their government.

The proceedings of parliament at this time proved that Geraldino was not much miſtaken in his conjectures with regard to the ſentiments of the miniſtry. The houſe of commons continued to be daily plyed with petitions and papers relating to the moſt ſhocking inhumanities committed by the Spaniards upon Engliſh priſoners that had been taken on board lawful trading ſhips. They repreſented them as being obliged to work in their dock-yards and upon their fortifications with irons

irons upon their legs, and as ſubſiſting upon the moſt loath- Geo. II.
ſome proviſions, over-run with vermin. Great numbers of 1737-8.
perſons, commanders as well as others, were examined at the bar of both houſes upon thoſe allegations, and they were proved with a fullneſs of evidence; but the reader is to remember, that the witneſſes neither were upon oath, nor was there any one preſent to confront them; they were therefore at liberty to ſay what they pleaſed. Add to this, that they were encouraged by their friends and patrons in the oppoſition to believe, that if they made their allegations good, ſir Robert Walpole muſt certainly loſe his power, and that his ſucceſſors would act with ſuch vigour, as to force the king of Spain to indemnify them for all they had loſt and ſuffered.

The firſt meaſure which plainly indicated the oppoſition were in earneſt to enter upon a war with Spain, was a motion made by Mr. Pulteny in the houſe of commons for leave to bring in a bill "for the more effectual ſecuring and encouraging the trade of his majeſty's ſubjects in America." In order to introduce this motion, he moved, that the 6th and 8th ſections of an act paſſed in the 6th of queen Anne, entitled, An act for the better ſecuring the trade of the kingdom by cruizers and convoys, ſhould be read; and likewiſe the 2d ſection of an act made in the ſame ſeſſion entitled, An act for the encouragement of the trade to America. It was upon thoſe two bills that the ſubſtance of this act moved for was founded, and both of them were thought neceſſary at the time they paſſed. The intention of the act now propoſed, was to give the property of all prizes taken from the Spaniards after the declaration of war, to the officers and ſeamen preſent in the action. Head-money of 5l. for every Spaniard taken at ſea, was likewiſe granted to the ſailors, and the property of all places taken from the Spaniards, was to be veſted, by his majeſty's patent, in the captors. Little or no oppoſition was made to the bill when it was firſt propoſed; but when a motion was made for a ſecond reading, it met with a ſtrong oppoſition from ſir Robert Walpole, who ſeems thoroughly to have ſtudied the queſtion.

With regard to the firſt article he obſerved, that as the bill then ſtood, if hoſtilities were immediately to commence againſt Spain, and a ſquadron of Engliſh ſhips of war was to take the whole plate fleet or flotilla of the Spaniards, with all their regiſter ſhips, every ſhilling of it muſt become the property of the Engliſh ſeamen, though it was notorious that not one fifth part of that treaſure, in fact and reality, belonged to

Geo. II. 1737-8. the Spaniards, but was the property of the French, the Dutch, and other trading nations of Europe.

As to the granting head-money for every Spaniard taken at open ſea, he thought it a very wiſe and a proper meaſure, and he was by no means againſt it, as ſoon as war was declared.

With regard to the third article, he thought it of a moſt dangerous nature, and that if it paſſed into an act, it muſt effectually preclude the concluding any ſafe and honourable peace; becauſe in all negotiations for peace, ſome places on both ſides are commonly given up to facilitate it, which could not be done if his majeſty, by letters patent, ſhould part with the property to private owners. He obſerved, that it would be ridiculous, in ſuch negotiations, for the Britiſh miniſters to urge to thoſe of Spain, the force of an act of their parliament.

He next, with unanſwerable ſtrength of reaſoning, urged, that ſhould the act in queſtion immediately take place without being greatly amended, it muſt be attended with the abſolute ruin of the Britiſh commerce all over Europe. It muſt give an alarm to the French for their property, which is greater than that of the Spaniards themſelves on board their American fleets; and that the French court in ſuch a caſe would not heſitate to take part with Spain, and join her with all her naval force to convoy the Spaniſh plate fleet to Europe. But a more material conſideration remained ſtill behind; moſt of the French, the Dutch, and Daniſh property at ſea, were inſured in England or Holland in time of peace, and therefore the loſs, in fact, muſt fall upon the Britiſh and Dutch inſurers, as they could have no pretext to indemnify the French and other nations for the loſſes they would ſuſtain; ſo that the bill, if paſſed into a law, might ruin the Dutch as well as the Britiſh inſurers.

He deſired the houſe to conſider in ſuch an event, what muſt be the caſe of the Britiſh merchants then reſiding in Spain, their perſons, their ſhips, and their properties, all which the Spaniards would certainly ſequeſter. "What muſt the Dutch, ſaid he, think of ſuch a bill? Or what power in Europe can be our hearty friend, ſhould it, at this time, paſs into a law?"

Such were the material arguments urged upon this occaſion by the miniſter in this debate, in which he had been greatly provoked by the abuſe thrown out againſt him. He bore up againſt all with inflexible reſolution; and in anſwer to thoſe who alledged, that he was afraid of a war, becauſe peace was his only ſafety, he made uſe of the following remarkable

markable expreſſions towards the cloſe of his ſpeech, which ſerve as a teſtimony equally of his reſolution and integrity. Geo. II. 1737-8.

"It is (ſaid he) but a mean excuſe for a miniſter, when any wrong ſtep is made in government, that he is not accountable for the events of meaſures that never were adviſed by him, and in which he was over-ruled by his ſuperiors. I have always diſdained thoſe mean ſubterfuges; and with what face can I appear again in this houſe, if full and ample ſatisfaction is not made us, or at leaſt if we do not do our utmoſt to obtain it; either by fair and peaceable means, or by exerting all our ſtrength in caſe a war becomes neceſſary. If my country ſhould call me to account, I would willingly take upon me the blame of every ſtep that has been made by the government, ſince I had the honour to enter into the adminiſtration. As to the common notion of a miniſter's being afraid to enter upon a war, I do not underſtand upon what it can be grounded. For my part, I never could ſee any cauſe, either from reaſon or my own experience, to imagine a miniſter is not as ſafe in time of war as in time of peace. Nay, ſir, if we are to judge by reaſon alone, it is the intereſt of a miniſter, conſcious of any miſmanagement, that there ſhould be a war; becauſe by a war, the eyes of the public are diverted from examining into his conduct; nor is he accountable for the bad ſucceſs of a war, as he is for that of an adminiſtration."

Though the miniſter was afterwards, both in parliament and in party writings, often put in mind of the above expreſſions, and though they were very frequently quoted againſt him, yet he never either diſowned or retracted them[a]. Mr. Pulteny, in anſwer to this ſpeech, endeavoured to fix upon ſir Robert Walpole the inflexible obſtinacy and injuſtice of the Spaniſh court; but Mr. Pelham ſhewed that the charge was unreaſonable, and at the ſame time, that even from the laſt anſwer from Spain, there was reaſon to hope for an accommodation, unleſs matters were precipitated by putting the moſt groſs affronts upon the court of Spain, by laying open to the world the ſecrets of their negociations. He was ſupported by ſir Charles Wager, then firſt lord of the admiral-

Debates about papers from Spain.

[a] It is here neceſſary to inform the reader, that this work will hereafter be ſparing in quoting parliamentary debates; becauſe the ſpeeches that have been printed for the ſubſequent years (and part of this) are not near ſo authentic as before. Therefore all quotations of that kind hereafter, ſhall only be ſuch as there is indubitable authority for inſerting.

Geo. II. 1737-8.

ity, who gave a ſenſible reaſon for not plunging into a war, to wit, the ſtate of the Engliſh navy, which was far from being in a condition to cope with all the naval force of France and Spain, which probably muſt be the caſe, if the reſolution paſſed without amendment. Upon this and ſome other arguments urged by the miniſterial party, the bill at laſt was dropt.

In the mean while, the miniſtry, to do them juſtice, continued to preſs the court of Spain with great vigour for a definitive anſwer; but being able to get none, the examinations and enquiries about depredations went on with more fury than ever in both houſes of parliament. The caſe which made the greateſt noiſe, was that of one Jenkins, maſter of an Engliſh ſhip, who had, it ſeems, loſt his ear, or part of his ear; and he pretended it had been cut off by the crew of a Spaniſh guarda coſta, with circumſtances of the utmoſt inſolence againſt the perſon of his majeſty and his ſubjects. It is incredible what an effect this man's evidence had both upon the parliament and public. At laſt Mr. Pulteny brought into the houſe of commons the following ſet of reſolutions, which he moved for in a ſpeech, which ſhowed he had thoroughly ſtudied the queſtion, and the moſt effectual means of embroiling Spain with Britain.

Reſolutions propoſed.

"That it is the natural and undoubted right of the Britiſh ſubjects to ſail with their ſhips on any part of the ſeas of America, to and from any part of his majeſty's dominions; and that ſeizing and confiſcating ſuch ſhips—as are not ſailing and trafficking in the ports and havens, which have fortifications, caſtles, magazines, or warehouſes, or other places poſſeſſed by the king of Spain—is contrary to equity and juſtice, and a manifeſt violation of the treaties ſubſiſting between the two crowns.—That it is the indiſputable right of the ſubjects of Great Britain to carry in their ſhips all ſorts of goods, merchandizes, or effects from one part of the Britiſh dominions to any other part of the Britiſh dominions; and that no goods, merchandize, or effects being ſo carried, are by the laws of nations, or any treaty between the two crowns, to be deemed or taken as contraband goods; and that the ſearching of ſuch ſhips on the open ſeas, under pretence of finding contraband goods, is highly injurious to the trade of this kingdom, a violation of the law of nations, and an infraction of the treaty ſubſiſting between the two crowns.—That the ſubjects of Great Britain did hold and poſſeſs lands in the province of Jucatan in America, antecedent to, and at

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the time of, the treaty of 1670; which treaty confirmed the right to each contracting party of ſuch lands or places as either did at that time hold and poſſeſs; and that the ſubjects of Great Britain then had, and have at all times ſince, claimed a right of cutting logwood in the bay of Campeachy, and enjoyed the ſame without interruption, till of late years; which right ſeems further particularly ſecured to us, by the manner in which the firſt article of the treaty of commerce at Utrecht confirms the treaty of 1670, with thoſe remarkable words,—"Without prejudice to any liberty or power which the ſubjects of Great Britain enjoyed, either through right, ſufferance, or indulgence."—That the attacking a fleet of Britiſh ſhips gathering ſalt in the iſland of Tortugas, then under convoy of one of his majeſty's ſhips of war, by two men of war belonging to the king of Spain, firing on the convoy, and taking four of the ſaid ſhips, was a notorious infraction of the convention ſigned at Madrid December 14, 1715, and an high inſult on the honour due to the flag of Great Britain.—That for many years laſt paſt, the liberty of navigation in the American ſeas hath been unjuſtly diſturbed by the Spaniards, under pretence of ſearching for, and finding, illicit trade; the Britiſh ſhips unlawfully ſeized, upon the open ſeas, plundered and confiſcated; the ſailors robbed, inhumanly tortured, impriſoned and made ſlaves; to the grievous loſs of the merchants, the obſtruction of the commerce, and the diſhonour of the nation.—That, notwithſtanding the repeated application of parliament, the treaty of Seville, and the aſſurances ſo frequently given to merchants of procuring reparation for their loſſes and ill uſage; and notwithſtanding the expectation of the nation of receiving juſt and ample ſatisfaction for the cruelties exerciſed on its ſubjects, and the inſults offered to itſelf, nothing has in ſo many years been obtained from the court of Spain effectually to ſatisfy the loſſes, repair the injuries, or retrieve the honour of the nation; though the ſaid treaty of Seville, ſo advantageous to Spain, hath been punctually executed on the part of Great Britain."

Geo. II. 1737-8.

Some part of thoſe reſolutions undoubtedly were unſupported by evidence, and others of them were at beſt diſputable; others of them did not come under the cognizance of the houſe, the matters they contained having been, by later treaties, referred to future diſcuſſion. Sir Robert Walpole being of this opinion, he told the houſe, that he was very ready to agree to the firſt part of the reſolution, upon the natural and undoubted right which the Britiſh ſubjects had

Geo. II. 1737-8. to ſail with their ſhips in any part of the ſeas of America to and from any part of his majeſty's dominions. He obſerved, however, that conſidering the ſtate of the negotiation between Spain and England at that time, it would be much more eligible to make the reſolutions the houſe agreed to not quite ſo peremptory and ſo particular. He therefore propoſed, that the reſt of the reſolutions ſhould run as follows, viz. "That the freedom of navigation and commerce, which the ſubjects of Great Britain have an undoubted right to by the law of nations, and which is not in the leaſt reſtrained by any of the treaties ſubſiſting between the two crowns of Great Britain and Spain, has been greatly interrupted by the Spaniards, under pretences altogether groundleſs and unjuſt. That before and ſince the execution of the treaty of Seville, and the declaration made by the crown of Spain purſuant thereto, for the ſatisfaction and ſecurity of the commerce of Great Britain, many unjuſt ſeizures and captures have been made, and great depredations committed by the Spaniards, which have been attended with many inſtances of unheard of cruelty and barbarity. That the frequent application made to the court of Spain, for procuring juſtice and ſatisfaction to his majeſty's injured ſubjects, for bringing the offenders to condign puniſhment, and for preventing the like abuſes for the future, have proved vain and ineffectual; and the ſeveral orders or cedulas, granted by the king of Spain for reſtitution and reparation of the great loſſes ſuſtained, by the unlawful and unwarrantable ſeizures and captures made by the Spaniards, have been diſobeyed by the Spaniſh governors, or totally evaded and eluded. And that theſe violences and depredations have been carried on to the great loſs and damage of the ſubjects of Great Britain trading to America, and in direct violation of the treaties ſubſiſting between the two crowns."

Amended and agreed to,

Thoſe amendments occaſioned a great debate, which is groſsly miſrepreſented in the parliamentary collections of that time. The gentlemen in the oppoſition had not ſtudied the term of contraband goods with ſufficient preciſion, and they confounded them with illicit goods. The difference between the intention and meaning of the treaty concluded with Spain in 1667, and that concluded in 1670, was not ſufficiently defined; the former relating to the European commerce, and the latter being reſtricted ſolely to the American. Neither was there ſufficient foundation for a houſe of parliament to aſſert the right which the Engliſh had of cutting logwood in the bay of Campeachy; and it was certain that

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that right had not only been warmly conteſted by the Spaniards in former negotiations, but had been tacitly given up by ſome of the Engliſh miniſters, and the whole of it was abſolutely inconſiſtent with the intereſt of the South-ſea company. It was maintained by ſir Robert Walpole and his friends, during the courſe of the debate, that the reſolutions moved for by him, contained all that could be reaſonably expected from Spain at that time; and that whatever claims the Engliſh had to lands in the province of Jucatan, or to cut logwood in the bay of Campeachy, or to other privileges either of poſſeſſion or navigation, it could not be affected or weakened by the houſe agreeing to the amendment; which the houſe accordingly, after a long and ſharp debate, agreed to, upon a diviſion of 224 againſt 163, and an addreſs to be preſented by the whole houſe was accordingly voted. Geo. II. 1737-8.

upon a diviſion.

The ſame day this debate happened in the houſe of commons, another upon the ſame ſubject paſſed in the houſe of lords; but more ſolemn and much better ſupported on both ſides. In the former, the debate ran upon diſtreſſing the miniſter; in the latter, upon ſecuring the ſubject. The commons went upon facts, the lords upon principles, which implied all the facts, and many more, than thoſe contained in Mr. Pulteny's reſolutions. The matter had before been thoroughly debated at the council board; and the earl of Cholmondley had prepared a ſet of reſolutions, which, though he was the ſon in-law of the miniſter, had a much greater tendency to obtain ſatisfaction to the nation, than thoſe debated in the houſe of commons. Lord Carteret, who had thoroughly ſtudied the queſtion, in a very fine and an elaborate ſpeech, ſhewed, that after the concluſion of the American treaty in 1670, none of the articles in 1667 are applicable to the American navigation by the Engliſh and Spaniards. He made a deduction ſo far back as the peace of Munſter, to ſhew that the baſis of all European commerce in America conſiſted in each nation reſerving to itſelf an excluſive right to trade with its own colonies and plantations there; and that, therefore, no ſhip which was not actually in the ports and harbours of Spain, could be ſuppoſed either ſearchable or ſeizable by the Spaniards. He proved to demonſtration, that all the modes of viſiting and ſearching mentioned and preſcribed by the treaty of 1667, was applicable to the European navigation alone, and not to the American; "becauſe," ſaid he, "that very treaty takes it for granted, that no trade between the Spaniards and the Engliſh can be carried on there,

Debate upon the ſame in the houſe of lords.

Geo. II. 1737-8. there, and consequently there can be no object of search, unless the ships of one power shall be found actually trading within the ports and harbours of the other." He illustrated this doctrine by the practice of the French and the Dutch, who had possessions in America, and who stuck to the same exclusive privileges; and he shewed there could not be a shadow of a pretext for a Spanish vessel to stop an English one in the open sea. As to the claim the Spaniards made of stopping ships within a certain space from the shore, he proved it to be unjust and groundless; because, in a coast so extensive, so uncertain, and so little known as that of America, it was often impossible for British subjects to navigate their ships so, as to prevent their being sometimes forced by squalls and currents, and sometimes to know in what part of the world they were, to prevent their making land, and often coming within the distance which the Spaniards pretended gave them a right to seize them.

His lordship enforced his arguments with so much clearness, that very little debate happened; and, at last, the following address to his majesty was agreed upon.

"Most gracious sovereign,

"We your majesty's most dutiful and loyal subjects the lords spiritual and temporal in parliament assembled, having taken into our serious consideration the many unjust violences and depredations committed by the Spaniards, upon the persons, ships, and effects of your majesty's subjects in America, have come to the following resolutions, which we beg, in the humblest manner, to lay before your majesty for your royal consideration, viz.

I. "Resolved, That the subjects of Great Britain have a clear and undoubted right to navigate in the American seas, to and from any part of his majesty's dominions; and for carrying on such trade and commerce, as they are justly entitled to in America; and also to carry all sorts of goods, and merchandizes, and effects from one part of his majesty's dominions to any other part thereof; and that no goods being so carried, are by any treaty subsisting between the crowns of Great Britain and Spain, to be deemed or taken as contraband or prohibited goods; and that the searching of such ships on the open seas, under pretence of their carrying prohibited or contraband goods, is a violation and infraction of the treaties subsisting between the two crowns.

II. "Resolved, That it appears to this house, that as well before as since the execution of the treaty of Seville on the part of Great Britain, divers ships and vessels with their cargoes,

cargoes, belonging to British subjects, have been violently seized and confiscated by the Spaniards, upon pretences altogether unjust and groundless; and that many of the sailors on board such ships have been injuriously and barbarously imprisoned and ill treated; and that thereby the liberty of navigation and commerce belonging to his majesty's subjects, by the law of nations, and by virtue of the treaties subsisting between the two crowns of Great Britain and Spain, hath been unwarrantably infringed and interrupted, to the great loss and damage of our merchants, and in direct violation of the said treaties. Geo. II. 1737-8.

III. "Resolved, That it appears to this house, that frequent applications have been made on the part of his majesty to the court of Spain, in a manner the most agreeable to treaties, and to the peace and friendship subsisting between the two crowns, for redressing the notorious abuses and grievances before mentioned, and preventing the like for the future, and for obtaining adequate satisfaction to his injured subjects, which in the event have proved entirely fruitless and of no effect.

"We think it our duty on this important occasion, humbly to represent to your majesty, that we are most sensibly affected with the many and grievous injuries and losses sustained by your majesty's trading subjects, by means of these unwarrantable depredations and seizures; and to give your majesty the strongest and most sincere assurances, that in case your friendly and powerful instances for procuring restitution and reparation to your injured subjects, and for the future security of their trade and navigation, shall fail of having their due effect and influence on the court of Spain, and shall not be able to obtain that real satisfaction and security which your majesty may in justice expect; we will zealously and chearfully concur in all such measures, as shall become necessary for the support of your majesty's honour, the preservation of our navigation and commerce, and the common good of these kingdoms."

His majesty returned the following answer.

His majesty's answer.

"My Lords,

"I am sensibly touched with the many hardships and injuries sustained by my trading subjects in America, from the cruelties and unjust depredations of the Spaniards. You may be assured of my care to procure satisfaction and reparation for the losses they have already suffered, and security for the freedom of navigation for the future; and to maintain to my people the full enjoyment of all the

"rights

Geo. II. 1737-8. "rights to which they are entitled by treaty and the law of "nations.

"I doubt not but I ſhall have your concurrence for the "ſupport of ſuch meaſures, as may be neceſſary for that "purpoſe."

Such were the reſolutions that indicated how very ſincere the parliament and government were, in procuring all manner of ſatisfaction to the ſufferers by the Spaniſh depredations; and upon thoſe reſolutions, as ſhall be ſeen, the declaration of war againſt Spain, was afterwards founded. Lord Carteret made an attempt to have the houſe declare, that the ſearching of Engliſh ſhips on the open ſeas, under pretence of their carrying contraband or prohibited goods, is a violation and infraction on the law of nations, and of the treaty ſubſiſting between the two crowns. But this motion, as it ſtood worded by his lordſhip, was thought by the lord Hardwick and the earl of Cholmondley, to imply rather too much; and therefore the reſolution was moved for, and paſſed as above.

Amendment propoſed.

But, that the reader may have a more diſtinct view of the differences between Great Britain and Spain, which brought on the war which afterwards enſued, it is neceſſary to give him an idea of the differences between the miniſters of the two courts.

State of the queſtion between England and Spain.

Mr. Keene, the Britiſh miniſter at the court of Madrid, had really never entered thoroughly into the true grounds of complaint which the Engliſh had againſt the Spaniſh depredations. He therefore preſented memorials upon memorials, complaining of the captures of certain ſhips, inſtead of claiming reſtitution of the whole which were not found actually trading in Spaniſh ports and harbours. This gave the Spaniards great advantages, becauſe no direct demand was made for the freedom of the Britiſh navigation, without reſtrictions or exceptions of any kind, in America. The court of Madrid, therefore, in conſequence of Mr. Keen's memorials, were ſometimes pleaſed to order a review of the proceſs of Engliſh ſhips condemned; nay, they ſometimes, though ſeldom, ordered reſtitution to be made. But, when the latter was the caſe, the Spaniſh governors and officers in America generally begged to be excuſed; becauſe the facts on which the reſtitution was ordered, as they alledged, were not true: and this was commonly inducement ſufficient for the court of Old Spain not to inſiſt upon the actual reſtitution; which, indeed, ſuppoſing the treaty of 1667 to have been all the direction the two courts had, they were not abſolutely obliged

obliged to do. For that treaty, ſuppoſing a trade to exiſt between the ſubjects of the two nations, ſuppoſes likewiſe certain regulations of that trade, which if not complied with, may render a ſhip lawful prize. Geo. II. 1737-8.

At the ſame time, don Sebaſtian de la Quadra, in his anſwers to Mr. Keen's memorials, took no notice of any part of the treaty of 1670 but the 8th article, by which the "Reſpective ſubjects of each of the contracting powers, ſhall forbear to trade or ſail to the ports and places that one or other of the two nations may poſſeſs in the Weſt-Indies:" and in another part of the ſame article it is declared, "That the ſubjects of Great Britain ſhall not go to, trade or ſail to, or carry on any traffic, in the ports or places which the king poſſeſſes in the Weſt-Indies." Dated December 10, 1737. N. S.

Thus, by preſuming from the treaty 1667, that certain regulations of commerce do exiſt, and from the treaty 1670, that the Engliſh are precluded from ſailing to, or trading with, the Spaniſh Weſt-Indies, and by applying the modes of viſiting and ſearching preſcribed by the treaty 1667 to the treaty 1670, the whole queſtion was confounded, but greatly in favour of the Spaniards in the eyes of the reſt of Europe. The reſolutions of the houſe of lords, however, rectified this jumble, by reducing the whole ſubject in diſpute to a ſimple ſelf evident propoſition; namely, that where no trade is ſuppoſed to exiſt, there can exiſt no object of ſearch. Mr. Keene, the Britiſh miniſter, in his memorial and letters to the court of Spain on this head, in fact gave up this point. "I do not pretend, ſaid he, in a letter to the marquiſs de la Quadra, that any article of the treaty of 1667, gives the Britiſh ſubjects any right to traffic in the countries belonging to the Spaniſh monarch in the Weſt-Indies, that being expreſsly forbid by the treaty made in 1670, for accommodating differences, and for preventing depredations. But, I preſume the particular regulations ſet down in the treaty of 1667, to be obſerved by the ſubjects of both nations in regard to navigation in places where it is agreed to be free, far from being repugnant to the treaty of 1670, are conformable thereto, and extend, and ought neceſſarily to be extended, to the ſhips and effects of the ſubjects of both nations, in whatever ſeas they are met with, whether in Europe or in any other part of the world." Dated Dec. 7, N. S. Diſputes between Mr. Keene and don Joſeph Patinho.

This was a fatal miſtake, and the Spaniards made great advantages of it. The parliament went on in demanding papers relating to the Spaniſh depredations; and it is incredible what quantities lay upon their tables. They likewiſe proceeded,

Geo. II. 1737-8. ceeded, from day to day, in examining witneſſes relative to the ſame, and the moſt ſhocking inhumanities on the part of the Spaniards were proved. The reader will underſtand them beſt from the words of Mr. Keene's diſpatch to don Sebaſtian de la Quadra, which were not pretended to be contradicted even by the court of Spain.

"I have orders, ſir, ſays he, to tell you, that the Britiſh ſubjects complain in the ſtrongeſt manner of the oblique ways and unjuſt means which the Spaniſh officers in the Weſt-Indies make uſe of for condemning and confiſcating their ſhips, viz. the maſter and crew are detained priſoners on board their ſhips until judgment is given: but, to ſave appearances, the governor appoints a Spaniard as party, in room of the proprietors of the ſhip, who, without ever conſulting the maſter or crew, makes, properly ſpeaking, a ſham defence, on which the veſſel is condemned; and after the ſentence there lies an appeal to the council of the Indies in Spain; upon which appeal we conceive no defence is admitted, nor any witneſſes received or read, but what was admitted before the courts of judicature in America. If this be true, no wonder his majeſty's ſubjects have not obtained any manner of juſtice, either in the firſt inſtance, or on the appeal, where the ſame party is at the ſame time both plaintiff and defendant. I am therefore ordered by his majeſty to make the ſtrongeſt repreſentations in his name againſt ſuch extraordinary proceedings, which are directly contrary both to the ordinary courſe of juſtice and the law of nations."

In the ſame diſpatch Mr. Keene very properly urges the abſurdity of obliging the Engliſh ſhips, when forced to make the Spaniſh land, to prove before a Spaniſh court of juſtice the particular reaſons that obliged them to come near the ſhore.

"That pretenſion, ſaid he, could not be ſuſtained, ſhould we even ſuppoſe that the crown of Spain has ſolely and excluſively the dominion and ſovereignty of the American ſeas; but ſuch a dominion or ſovereignty is what the kings, predeceſſors of the king my maſter, never knew, and what his majeſty never will admit.

"Having thus anſwered all the material articles of your letter, and ſhown how far it is from being ſatisfactory in regard to the different caſes complained of, and how little the general pretenſions and aſſertions contained in it can be juſtified, I have orders only to add, that the king my maſter expects, from the equity and juſtice of his Catholic majeſty, that he will not put him to the neceſſity for maintaining his

own

own honour, and obtaining for his ſubjects the juſtice which is due to them, to have recourſe to means incompatible with the friendſhip which his majeſty has endeavoured to keep up between the two crowns." Geo. II. 1738.

The attention of the public was ſo totally engroſſed by this great queſtion between Spain and England, that very little was paid to other affairs, though ſome of them were of importance, which happened in the courſe of this ſeſſion. Two millions were granted to his majeſty, for the ſervice of the current year, and for paying to the governor and company of the bank of England one million for redeeming an annuity of 40,000l. payable to them. Another act of great importance, both for its conveniency and dignity, paſſed this ſeſſion. It was, for building a bridge croſs the river Thames, from the Woolſtaple, Weſtminſter, to the oppoſite ſhore in Surry; which after various difficulties has been ſince executed, greatly to the honour of the commiſſioners. Some farther regulations were likewiſe made with relation to the drinking ſpirituous liquors; and thoſe already made being found ineffectual, and having been productive of many perjuries, a power had been granted to retail ſpirituous liquors with licences. But this had rather increaſed than diminiſhed the diſorder complained of; and an act paſſed this ſeſſion, by which the occupiers of houſes in which ſpirituous liquors were illegally ſold, were made liable to a penalty. End of the ſeſſion of parliament.

On the 20th of May, his majeſty put an end to the ſeſſion by a ſpeech, which ended with the following expreſſions.

"My lords and gentlemen,

"Agreeable to what hath appeared to be the concurrent "opinion of both houſes of parliament, I have given orders "to repeat, in the ſtrongeſt and moſt preſſing manner, my "inſtances at the court of Spain for obtaining ſatisfaction "for the many injuries and loſſes ſuſtained by my trading "ſubjects in America, as well as an effectual ſecurity of their "rights for the future; and I hope, from the juſtice and "equity of the Catholic king, to procure and eſtabliſh a "free and uninterrupted exerciſe of navigation and com-"merce mutually between the ſubjects of both crowns, pur-"ſuant to our treaties and the law of nations." Part of his majeſty's ſpeech.

The Spaniards, by this time, began to be very apprehenſive of the conſequence of their differences with Great Britain. They therefore, though with a very ill grace, ordered ſome of the Engliſh captures to be ſet at liberty: but ſeeing that this had very little effect upon the Engliſh nation, in the ſpring of this year they made extraordinary preparations for war;

Geo. II. 1738. war; declaring, at the ſame time, that if the Engliſh ſhould attack their ſettlements in America, they would make repriſals in the Mediterranean, and all over Europe. The French could not be unconcerned ſpectators at ſuch appearances of an immediate rupture, which endangered the vaſt property they had on board the Spaniſh galleons and the flotilla, and therefore they offered their mediation in concert with their High Mightineſſes, to make up all the differences between the two crowns. But this offer could not be accepted of, their High Mightineſſes having, in many reſpects, the ſame grounds of complaint againſt the Spaniards, and therefore were ſollicited very warmly by Mr. Trevor, the Britiſh miniſter, to take part with England. He was oppoſed by the marquis de St. Giles, the Spaniſh ambaſſador at the Hague; and the Dutch had not ſpirit enough to come to any poſitive reſolution, eſpecially as Van Hoey, their miniſter at Paris, was perpetually alarming them with the reſentment of the French court, ſhould they join with Great Britain. The truth is, the caſe of the Engliſh and that of the Dutch, with regard to depredations, were in ſome points very diſſimilar; the Dutch having no treaty with Spain that could anſwer to the treaty of 1670 with England. The Dutch likewiſe found themſelves greatly embarraſſed by the difficulties they found in getting their treaty of commerce with France, which had juſt expired, renewed. The Spaniſh miniſter, however, to preſerve ſome ſhow of moderation, towards the end of March this year ſent an order to Cadiz to relieve ſeventy-one Britiſh ſailors, who had been confined priſoners in Old Spain; and they were accordingly put on board an Engliſh veſſel, and having landed in England, his majeſty ſent 200l. to be diſtributed amongſt them.

Negotiations for peace,

His majeſty, about the ſame time, complied with every thing that could ſhow both his friends and enemies, that he was in earneſt to obtain juſtice to his ſubjects. In April, ten ſhips of the line were put into commiſſion, and admiral Haddock, a brave and experienced officer, was ordered to the Mediterranean with a ſquadron. At the ſame time the Britiſh government ſent inſtructions to their merchants in the ſeveral ſea-ports in Spain, to regiſter all their effects with a notary public, in caſe of a rupture. Many ſingle ſhips were likewiſe ſent to America; and the infant colony of Georgia was well ſupplied both with troops and ſtores for reſiſting the Spaniards, who threatned to invade it from St. Auguſtine.

and preparations for war.

The effect which thoſe vigorous diſpoſitions had, was ſoon ſeen in the inſtructions ſent by the court of Madrid to Geraldino: for in the month of September this year, preliminaries were ſigned as the baſis of a treaty of accommodation, the ſame to be ratified in two months, and plenipotentiaries to meet in two months after in a congreſs which was to continue eight months, and no longer. Thoſe preliminaries (for they were no better) were drawn up like a treaty, and formed the famous convention which afterwards made ſo much noiſe in Europe, and had almoſt ruined the internal tranquillity of England. The articles were as follow: Geo. II. 1738.

The convention agreed to.

I. "Whereas the antient friendſhip ſo deſirable and neceſſary for the reciprocal intereſt of both nations, and particularly with regard to their commerce, cannot be eſtabliſhed upon a laſting foundation, unleſs care be taken not only to adjuſt and regulate the pretenſions, and for reciprocal reparations of the damages already ſuſtained; but above all, to find out means to prevent the like cauſes of complaint for the future, and to remove abſolutely, and for ever, every thing which might give occaſion thereto: It is agreed to labour immediately, with all imaginable application, to attain ſo deſirable an end; and for that purpoſe there ſhall be named, on the part of his Britannic and catholic majeſties reſpectively, immediately after the ſigning of the preſent convention, two miniſters plenipotentiaries, who ſhall meet at Madrid within ſix weeks, to be reckoned from the day of the exchange of the ratifications, there to confer and finally regulate the reſpective pretenſions of the two crowns, as well with relation to the trade and navigation in America and Europe, and to the limits of Florida and Carolina, as concerning other points which remain likewiſe to be adjuſted; the whole, according to the treaties of 1667, 1670, 1713, 1715, 1721, 1728, and 1729, including that of the aſſiento of negros, and the convention of 1716. And it is alſo agreed, that the plenipotentiaries ſo named, ſhall begin their conferences ſix weeks after the exchange of the ratifications, and ſhall finiſh them within the ſpace of eight months.

II. "The regulation of the limits of Florida and of Carolina, which according to what has been lately agreed, was to be decided by commiſſaries on each ſide, ſhall likewiſe be committed to the ſaid plenipotentiaries, to procure a more ſolid and effectual agreement; and during the time that the diſcuſſion of that affair ſhall laſt, things ſhall remain in the aforeſaid territories of Florida and of Carolina, in the ſituation they are in at preſent, without encreaſing the fortifications

Geo. II. 1738.

tions there, or taking any new poſts; and for this purpoſe, his Britannic majeſty and his Catholic majeſty ſhall cauſe the neceſſary orders to be diſpatched immediately after the ſigning of this convention.

III. "After having duly conſidered the demands and pretenſions of the two crowns, and of their reſpective ſubjects, for reparation of the damages ſuſtained on each ſide, and all circumſtances which relate to this important affair; it is agreed, that his Catholic majeſty ſhall cauſe to be paid to his Britannic majeſty the ſum of 95,000l. ſterling for a balance, which has been admitted as due to the crown and the ſubjects of Great Britain, after deduction made of the demands of the crown and ſubjects of Spain; to the end that the above-mentioned ſum, together with the amount of what has been acknowledged on the part of Great Britain to be due to Spain on her demands, may be employed by his Britannic majeſty for the ſatisfaction, diſcharge, and payment of the demands of his ſubjects upon the crown of Spain; it being underſtood nevertheleſs, that it ſhall not be pretended, that this reciprocal diſcharge extends, or relates to the accounts and differences, which ſubſiſt, or are to be ſettled between the crown of Spain and the company of the aſſiento of negros, nor to any particular or private contracts that may ſubſiſt between either of the two crowns, or their miniſters with the ſubjects of the other, or between the ſubjects and ſubjects of each nation reſpectively; with exception however of all pretenſions of this claſs, mentioned in the plan preſented at Seville by the commiſſaries of Great Britain, and included in the account lately made out at London, of damages ſuſtained by the ſubjects of the ſaid crown, and eſpecially the three particulars inſerted in the ſaid plan, and making but one article in the account, amounting to 119,512 piaſters, 3 reals and 3 quartils of plate; and the ſubjects on each ſide ſhall be entitled, and ſhall have liberty to have recourſe to the laws, or take other proper meaſures, for cauſing the aboveſaid engagements to be fulfilled, in the ſame manner as if the convention did not exiſt.

IV. "The value of the ſhip Woolball, which was taken and carried to the port of Campechy in 1732, the Loyal Charles, the Diſpatch, the George, and the Prince William, which were carried to the Havanna in 1737, and the St. James to Porto Rico in the ſame year, having been included in the valuation that has been made of the demands of the ſubjects of Great Britain, as alſo ſeveral others that were taken before; if it happens, that in conſequence of the orders that

have been diſpatched by the court of Spain for the reſtitu- Geo. II.
tion of them, part, or the whole of them have been reſtored, 1738.
the ſums ſo received ſhall be deducted from the 95,000l.
ſterling, which is to be paid by the court of Spain according to what is above ſtipulated: it being, however, underſtood, that the payment of the 95,000l. ſterling ſhall not be, for that reaſon, in any manner delayed; ſaving that what may have been previouſly received ſhall be reſtored.

V. "The preſent convention ſhall be approved and ratified by his Britannic majeſty and by his Catholic majeſty; and the ratifications thereof ſhall be delivered and exchanged at London within ſix weeks, or ſooner, if it can be done, to be reckoned from the day of the ſigning.

"In witneſs whereof, we the underwritten miniſters plenipotentiaries of his Britannic majeſty and of his Catholic majeſty, by virtue of our full powers, have ſigned the preſent convention, and cauſed the ſeal of our arms to be affixed thereto. Done at the Pardo, the 14th day of January, 1739.

B. Keene. (L.S.) Sebaſtian de la Quadra. (L.S.)"

Subſtance of the two ſeparate articles.

I. "Whereas it has been agreed by the firſt article of the convention, that there ſhall be named on the part of their Britannic and Catholic majeſties reſpectively, two miniſters plenipotentiaries, who ſhall meet at Madrid within ſix weeks, &c. their ſaid majeſties have named, and do by theſe preſents name, viz. his Britannic majeſty, Benjamin Keene, eſq; his ſaid majeſty's miniſter plenipotentiary to his Catholic majeſty, and Abraham Caſtres, eſq; his ſaid Britannic majeſty's conſul general at the court of his Catholic majeſty, his plenipotentiaries for that purpoſe; and his Catholic majeſty, don Joſeph de la Quintana, his counſellor in the ſupreme council of the Indies, and don Stephen Joſeph de Abaria, knight of the order of Calatrava, counſellor in the ſame council, and ſuperintendent of the chamber of accounts, who ſhall be immediately inſtructed to begin the conferences: and whereas it has been agreed by the third article of the convention, that the ſum of 95,000l. ſterling is due, on the part of Spain, as a balance to the crown and ſubjects of Great Britain, after deduction made of the demands of the crown and ſubjects of Spain; his Catholic majeſty ſhall cauſe to be paid at London, within four months, to be reckoned from the day of the exchange of the ratifications, or ſooner if poſſible, in money, the above mentioned ſum, to ſuch perſons as ſhall be authorized, on the part of his Britannic majeſty, to receive it.

Geo. II. 1738.

II. "It is declared, that the ſhip called the Succeſs, which was taken on April 14, 1738, as ſhe was coming out from the iſland of Antigua, by a Spaniſh guarda coſta, and carried to Porto Rico, is not comprehended in the convention; and his Catholic majeſty promiſes, that the ſaid ſhip and its cargo ſhall be forthwith reſtored, or the juſt value thereof, to the lawful owners; provided that, previous to the reſtitution of the ſaid ſhip, the perſon or perſons intereſted therein do give ſecurity at London, to the ſatisfaction of don Thomas Geraldino, his Catholic majeſty's miniſter plenipotentiary, to abide by what ſhall be decided thereupon by the miniſters plenipotentiaries of their ſaid majeſties, that have been named, &c. And his Catholic majeſty agrees, as far as ſhall depend upon him, that the above-mentioned ſhip ſhall be referred to the examination and deciſion of the plenipotentiaries; his Britannic majeſty promiſes likewiſe to refer, as far as ſhall depend upon him, to the deciſion of the plenipotentiaries, the brigantine Sta. Thereſa, ſeized in the port of Dublin in Ireland, in 1735. And it is declared by theſe preſents, that the third article of the convention does not extend, nor ſhall be conſtrued to extend, to any ſhips or effects that may have been taken or ſeized ſince December 10, 1737, or may be hereafter taken or ſeized; in which caſes juſtice ſhall be done according to the treaties, as if the aforeſaid convention had not been made; it being, however, underſtood, that this relates only to the indemnification and ſatisfaction to be made for the effects ſeized, or prizes taken; but that the deciſion of the caſes, which may happen, in order to remove all pretext for diſpute, is to be referred to the plenipotentiaries, to be determined by them according to the treaties."

Reflection upon the convention.

Such was the famous convention. The principles upon which it was founded, were undoubtedly indefenſible. It is not to be denied, that the miniſter imagined he could be able to manage matters ſo as to prevent a war, which he thought would amply compenſate for the ſufferings of the merchants. He was convinced that things had been greatly exaggerated; and that, with a little management, the public would be brought to have a due ſenſe of the bleſſings of ſo beneficent a peace as it then enjoyed. But he was miſtaken. The horrid accounts publiſhed in the news-papers, and enforced in the anti-miniſterial writings, of the Spaniſh barbarities, had exaſperated all ranks of men beyond all reconcilement with the meaſure that had been taken. The writings publiſhed in defence of the convention were conſidered as the dictates of the miniſter; and they were ſo poor and unſatisfactory, that

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the moſt underſtanding part of his friends adviſed him to ſilence the preſs on that head. In anſwer to this, he proteſted, with great ſincerity, that he had employed no pen in defence of his meaſures; nay, that he had not ſo much as read the papers and pamphlets that had been printed for that purpoſe; but that he did not think himſelf entitled to ſuppreſs the arguments that might be offered to the public in defence of a meaſure, which he himſelf, in his conſcience, believed to be the beſt that could be purſued or adopted by Great Britain in her preſent ſituation. This apology, however, was unſatisfactory, becauſe it was well known that though he might not be ſaid to employ writers, yet he paid them, and their dependence was upon him. In this he was uncautious; and however upright his intentions were, yet it is incredible what prejudice he received from the preſs; more, perhaps, when it was employed in vindicating, than in impeaching, his conduct. But to proceed now to domeſtic concerns of leſs importance. Geo. II. 1738.

The miniſter was rather paſſive than inſenſible; with regard to the miſchief which the preſs did to his intereſt; and he very injudiciouſly left the conduct of all that belonged to it, when employed either for or againſt him, to a few private favourites, who were very unequal to the taſk. The attorney-general ſir Dudley Ryder, and the ſollicitor-general Strange, though excellent common lawyers, were void of all manner of ſenſibility of prudential, or indeed, humane, conſiderations. The paper called the Craftſman ſtill continued to be carried on with great acrimony againſt the adminiſtration; and a letter had been publiſhed to ſhew that the late act for licenſing the ſtage muſt be ineffectual, unleſs ſome means were taken to expunge the offenſive paſſages out of old, as well as of new, plays. Several paſſages were, at the ſame time, quoted, as being ſatires againſt the then adminiſtration; and the letter was ſubſcribed with the name of Cibber, the poet laureat, who was ſuppoſed to petition the lord chamberlain for the place of regulator of the old plays. Proſecution for a libel.

The creatures of the miniſter were weak enough to apprehend one Haines, the obſcure printer and publiſher of the Craftſman, on account of this paper; and Ryder and Strange agreed to proſecute him. He was defended, when his trial came on in the court of King's Bench, by Mr. Bootle, and another lawyer, who ſhowed ſome abilities in their ſpeeches. But Mr. afterwards ſir, Robert Henley, lord keeper of the great ſeal, diſtinguiſhed himſelf upon this occaſion by a very fine pleading in defence of the liberty of the preſs in general,

Geo. II. 1738. ral, and ſhewing that the paper in queſtion was no libel. Notwithſtanding the conſtitutional and, indeed, unanſwerable arguments he advanced, the printer was found guilty, fined and impriſoned.

A private proſecution.

About the ſame time happened another trial, which is of importance enough to be recorded here. One Comins, a carpenter at Gibraltar, in vindicating his matrimonial rights, had incurred the diſpleaſure of the military government there, for which he had been ſeverely and undeſervedly whipped in public as the vileſt criminal. The man ſoon after came to England, and brought an action againſt Sabine the governor of Gibraltar, for 10,000l. damages. The queſtion turned upon an important point, whether the military governor, or government, had power to inflict ſo cruel a puniſhment upon a ſubject who was not within the mutiny act? It was endeavoured to be proved, that all who reſided in Gibraltar, were ſubject to the awards of a court-martial. But Mr. Murray, ſince lord Mansfield, in a very fine ſpeech for his client the plaintiff, ſhewed the danger, the injuſtice, and abſurdity of this doctrine in ſo clear a light, that the jury returned a verdict in favour of the plaintiff, though with no more than 700l. damages.

Public diſorders continue.

The meaſures taken for the reformation of the manners of the public, were as yet far from being effectual, as appeared from the frequent robbing of mails, murders, thefts, and other robberies that were daily committed. The city of London was at this time under an excellent regulation in the mayoralty of ſir John Barnard, and the court of aldermen made ſeveral excellent proviſions for the peace as well as the reformation of the inhabitants; the ſtricteſt orders being given for the due obſervation of the Lord's day, and for the ſuppreſſion of immorality and immodeſty of every kind. But an equal attention was not paid to the government of Weſtminſter, where a venal and indigent ſet of magiſtrates, without any qualification of property or abilities, either for the ſake of gain winked at the enormities of the populace and their inſults upon the government, or puniſhed them with more ſeverity than they deſerved. In ſhort, the public diſorders increaſed ſo much this year, that, in March, a proclamation "for ſuppreſſing riots and tumults, enjoining all peace officers to be very diligent in diſcovering the authors and abetters of all mobs, that ſhall audaciouſly inſult ſuch perſons as inform againſt retailers of ſpirituous liquors," was publiſhed at the Royal Exchange by a herald and proper officers: but this proclamation was far from having the de-

A proclamation to repreſs them.

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fired effect. The flame into which the nation had been thrown on account of the Spaniſh depredations, had actually brought the government into contempt among the lower ranks, which was increaſed by the continuance of the breach in the royal family: for on the 27th of February, the following order was iſſued and ſigned by the duke of Grafton lord chamberlain, "His majeſty having been informed that due regard has not been paid to his order of the 11th of September 1737, has thought fit to declare, That no perſons whatſoever who ſhall go to pay their court to their royal highneſſes the prince and princeſs of Wales, ſhall be admitted into his majeſty's preſence at any of the royal palaces." Geo. II. 1738. Orders from the lord chamberlain.

This order ſerved to widen the breach; for the diſſatisfied and diſaffected of all denominations, ſheltering themſelves under the private reſentments of the royal perſonages concerned, found means to form a party, which was conſiderably increaſed by great numbers of well-wiſhers to the proteſtant ſucceſſion and government, from their avowed averſion to the miniſter and his meaſures. Norfolk-houſe in St. James's ſquare, where his royal highneſs reſided, became now the great reſort of the faſhionable, as well as political, part of the kingdom. Meaſures were there formed for deſtroying the power of the miniſter; and his royal highneſs, with the greateſt ſentiments of duty towards his father, was prevailed upon publicly to put himſelf at the head of the oppoſition. This gave great diſquiet to the miniſter and his friends, who, notwithſtanding the breach in the royal family, and though it was known that the moſt virulent libels againſt them were emitted from the retainers of that court, behaved to their royal highneſſes with all imaginable decency. Its effects.

On the 24th of May this year, the nation received a great acceſſion of ſecurity by the birth of a ſon to the prince of Wales, who was immediately chriſtened by the name of George; but it was the 21ſt of June before the ſolemnity of the baptiſm was performed by Dr. Secker biſhop of Oxford, afterwards archbiſhop of Canterbury; the king of Sweden and the duke of Sax-Gotha ſtanding godfathers, and the queen of Pruſſia godmother, all by their proxies. This happy event produced the warmeſt congratulations to his majeſty and the royal family, from all the public bodies throughout the kingdom. Birth of a prince.

About that time, news arrived in England of a hurricane that had happened in the Eaſt Indies, which did great hurt to the Engliſh ſhipping and factories. At home, however, there was no appearance of diſtreſs; for the city of London, this year, agreed to the noble reſolution for building a magnificent

Geo. II. 1738.

nificent manſion-houſe for their future lord-mayors, which was afterwards carried into execution. All over the nation the foundations were formed of great national charities. An hoſpital for deſerted foundling infants, had been indefatigably ſolicited for by a private perſon, one captain Coram, who had ſpent great part of his life in North America. He was ſo ſanguine in this affair, that he ruined his private fortune by his applications for its ſucceſs, which he afterwards brought to bear at a time when, by the courſe of nature, he could live but a very ſhort time. An inſtance of charitable and diſintereſted perſeverance hardly ever paralleled. About the ſame time a moſt noble general hoſpital was founded at Bath, as was another at Edinburgh upon voluntary ſubſcriptions, and another was projected at York.

Charitable foundations.

Diſſolute manners of the common people.

It was amazing to ſee how private debauchery encreaſed with public charity. The rage of drinking ſpirituous liquors continued amongſt the lower ranks of people; and by a moderate computation, between the commencement of the gin-act and the month of June this year, no fewer than 12,000 were convicted on that account. It happened, however, that the expectation of a war with Spain, induced the government to haſten their naval armaments, by which great numbers of the moſt abandoned were ſwept off by the preſs-gangs.

Deaths of great perſonages. Earl of Carliſle.

This ſummer was diſtinguiſhed by the deaths of ſeveral conſiderable perſonages in England. In April died the earl of Carliſle, who had enjoyed many poſts of honour, but few of profit. He had been a commiſſioner for concluding the treaty of union between England and Scotland; he was one of the regents upon the death of queen Anne; and at the time of his death was of the privy council, lord lieutenant of Cumberland and Weſtmorland, and governor of Carliſle. His death was followed by that of lord Windſor, who, while a commoner in his youth, had been brought up in the army under king William, was afterwards made lieutenant general, and in the year 1711 was created an Engliſh peer by queen Anne. In the ſame month (of June) died Charles lord viſcount Townſend, often mentioned in this hiſtory. He had gone through a variety of the greateſt offices in the government; having been appointed a lord of the regency upon the death of queen Anne, made a knight of the garter, lord lieutenant of Ireland, and twice ſecretary of ſtate, and lord preſident of the council. His ſpirit was by ſome thought to be too rough and over-ruling, though it never was exerted but in caſes wherein he thought the honour of his maſter and the

Lord Windſor.

Lord Townſend.

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intereſts of the proteſtant ſucceſſion were concerned. In his fidelity as a miniſter, he was ſo irreproachable, as to be inacceſſible to applications made to, and received by, even the great duke of Marlborough; and had it not been for his ſteadineſs in his negotiations abroad, the proteſtant ſucceſſion would not have taken place ſo ſmoothly as it did. In the month of Auguſt died George Baily, of Jerviſe-wood, in Scotland, a name reſpectable for every virtue, as well as all the duties of true religion. His family had ſuffered ſeverely under the reign of the Stuarts, which drove him to take refuge in Holland, from whence he came over an officer with king William at the time of the revolution. Before the union of the two kingdoms, he went through ſome of the offices of ſtate in his native country, and died a lord of the treaſury, in the 75th year of his age. In this liſt of deaths, that of ſir Joſeph Jekyl, maſter of the rolls, whoſe character has been already given in this volume, muſt not be forgotten; he died ſteady in his principles, and was ſucceeded by the honourable John Verney, chief juſtice of Cheſter. This autumn likewiſe died a Dutchman, who was a public bleſſing to all Europe for his ſkill in his profeſſion, and his candor and judgment in exerciſing it, doctor Herman Boerhaave, in the 69th year of his age.

Geo. II. 1738.

See de Torcy's memoirs.

Baily of Jerviſe-wood.

Boerhaave.

In October their royal highneſſes the prince and princeſs of Wales went from their ſeat at Cliefden in Bucks to Bath. The miniſter's friends imagined that his royal highneſs had been adviſed to this progreſs by the chiefs of the party he was now at the head of, in order to ſtrengthen his popularity, and thereby ſerve their own intereſts; and in this, they were, perhaps, not miſtaken. Their royal highneſſes were received with raptures wherever they went, and with the moſt diſtinguiſhed honours; nor were they wanting in all the condeſcenſions of virtuous popularity. From Bath they went to Briſtol, where they were moſt ſumptuouſly entertained and moſt pompouſly harrangued, though the inhabitants of that city were not then noted for their affection to the proteſtant ſucceſſion.

Prince and princeſs of Wales viſit Bath.

Towards the cloſe of this year, ſome capt ins of ſhips of war upon the Iriſh ſtation were tried by a court-martial at Portſmouth, at which admiral Cavendiſh was preſident, and mulcted for ſome very ſcandalous practices; this was the firſt piece of ſeverity that had been for ſome time exerciſed by the government, whoſe indulgence daily produced very bad effects.

Trials of ſea-officers.

Geo. II. 1738.

For, in October this year, a ſet of French players, not withſtanding all the legal proviſions that had been made againſt vagrants, attempted to exhibit a French comedy in the Haymarket, but were rioted by the audience. The players, however, who, in fact, had no licence for playing, were moſt unwarrantably ſupported by De Veil, the buſy pragmatical juſtice of Weſtminſter, who was uncautious enough to attempt to read the riot act, and who ordered a party of the guards upon the ſtage, by which, had he proceeded, the lives of many innocent people might have been ſacrifiſed; but the ſpirit of the audience happily prevented any fatal conſequences, and the tumult ended in ſilencing the players, who were obliged to return to their own country.

Riots at the French playhouſe,

A more dangerous ſpirit prevailed, at the ſame time, in the Weſt of England, Wiltſhire, and the cloathing counties. It is more than probable, that the journeymen and ſervants in that trade had been very ill treated by ſome of their maſters, both as to their wages and proviſions. On the 26th of November, great bodies of the labouring people belonging to Studley, and other villages round Bradford and Trowbridge, aſſembled in a moſt riotous manner, and committed great exceſſes upon the moſt obnoxious of the maſter clothiers, particularly one Mr. Coulthurſt, of Melkſham, whoſe dwelling-houſe and workhouſe they deſtroyed, and their inſolence went to ſo dangerous a height, that the government found themſelves obliged to order a body of troops to be quartered at Bradford, Trowbridge, Melkſham, Chippenham, Weſtbury, and Yarmouth, which quelled the tumults, and ſeveral of the offenders were afterwards executed. About the ſame time, a moſt daring inſult was committed upon juſtice, by a party of ſailors, at Wapping, who cut down from the gibbet, and brought to life, one Buchanan, who had been condemned to be hanged there for murder; nor were any of the offenders ever brought to juſtice.

and in the clothing counties,

1739. Negotiations at Madrid.

Theſe enormities were but too much encouraged in the lower ranks, by the liberties, which thoſe in ſuperior ſtations, then took with the government. The miniſter found himſelf now preſſed by the alternative of either complying with the terms of the Spaniards, or plunging the nation directly into a war, which, by all appearance, muſt ſoon become general. It was with the utmoſt difficulty that the miniſtry of Spain was brought to agree to the convention, being ſtill informed by Geraldino, that the government of England never durſt venture upon a war. The anti-miniſterial party in England ſaw where the diſtreſs lay, and improved it to the

utmoſt

utmoſt for their own purpoſes. The 18th of January was Geo. II.
the day appointed for the meeting of parliament, and the 1739.
day fixed upon by the miniſter himſelf for determining the
great event of peace or war. He had foreſeen the ſtorm
that the convention, which had been for ſome time publiſhed,
was likely to raiſe, and had made a new effort at the Spaniſh
court for obtaining better terms. At the ſame time his
friends were buſied in the city to get counter petitions ſign-
ed, approving of the meaſures that had been purſued to avoid
a war. Though this laſt mentioned attempt was made un-
known to him, yet it is probable, it would have done him
great ſervice, could it have taken effect; but the popular
outcry was ſo violent, that though many of the greateſt mer-
chants in England were averſe to a war, few would venture
to ſign ſuch a petition, and the whole, by the expreſs com-
mand of the miniſter himſelf, when he came to underſtand
it, was laid aſide.

The courier with the final anſwer from the court of Ma-
drid not being arrived on the 18th of January, the ſitting
of parliament for the diſpatch of buſineſs was put off to the
firſt of February. This delay was certainly impolitic, and
was ſo thought by ſome of the miniſter's beſt friends, be-
cauſe it farther betrayed the diſtreſs he was in. A general
court of the South-ſea company had been held, in which
Geraldino made a demand upon the company for 68,000 l.
which, he ſaid, the company confeſſed to be owing to his
maſter, and which they abſolutely refuſed to pay, without a
general ballancing of accounts between them and his Catho-
lic majeſty. It was plain by this demand, that ſome ſecret
tranſactions had paſſed between Mr. Keene and the Spaniſh
miniſters; and, indeed, a very dark ſcene of management
had happened. For the marquis de la Quadra, in all his con-
ferences with Mr. Keene, had inſiſted upon 68,000 l. being
due to his maſter by the South-ſea company, and had ver-
bally acquainted him, that his Catholic majeſty could not
ratify the convention, without being paid that money. Mr.
Keene, who knew the Britiſh miniſter's fondneſs for peace,
had not been explicit enough with de la Quadra upon this
head, and had avoided explaining himſelf by repreſenting,
that the intereſts of the South-ſea company and the national
intereſt of Great Britain, were conſiderations entirely diſtinct.
That his Catholic majeſty might ratify the convention which
was no other than a ſettlement of accounts between the two
nations. That he would undertake, under any penalty, that
if it ſhould appear 68,000 l. was due from the South-ſea
com-

Unfair claims of the Spaniards.

Geo. II. 1739.

company to his Catholic majeſty, that the money ſhould be paid. The Spaniſh miniſter affected to put up with this anſwer, as being a poſitive promiſe and agreement, that this 68,000 l. ſhould be paid previous to the execution of any of the articles of the convention. Though this claim was abſurd and unjuſt, yet Mr. Keene let it reſt upon the repreſentations he had made, for fear of confounding the whole negotiation, when it was upon the point of being brought to an iſſue. The Spaniſh miniſter, however, was a great deal more explicite: for, at the time of ratifying the convention, he drew up and delivered to Mr. Keene, the following declaration, of which he ſent a copy at the ſame time to Geraldino at London.

King of Spain's proteſt.

"Don Sebaſtian de la Quadra, counſellor and firſt ſecretary of ſtate to his Catholic majeſty, and his firſt plenipotentiary for the convention which is treating with the king of England, by order of his ſovereign, and in conſequence of his repeated memorials and conferences that have paſſed with don Benjamin Keene, miniſter-plenipotentiary of his Britannic majeſty, and having agreed therein with reciprocal accord, that the preſent declaration ſhall be made as the eſſential and preciſe means to overcome the ſo much debated diſputes, and in order that the ſaid convention may be ſigned, does declare in due form, that his Catholic majeſty reſerves to himſelf, in its full force and right of being able to ſuſpend the aſſiento of negroes, and for diſpatching the neceſſary orders for the execution thereof, in caſe the company does not ſubject herſelf to pay, within a ſhort time, the 68,000 l. ſterling, which ſhe has confeſſed is owing on the duty of negroes, according to the regulation of 5 2d per dollar, or in the profits of the ſhip Caroline; and likewiſe declare, that under the validity and force of this proteſt, the ſigning of the ſaid convention may be proceeded on, and in no other manner: wherefore, upon this firm ſuppoſition, and that it may not be eluded on any other motive or pretexts whatſoever, his Catholic majeſty has been induced thereto.

Pardo, 10th of January, 1739.

Don Sebaſtian de la Quadra."

Parliament opens.

Such was the ſituation of affairs when the ſeſſion of parliament was opened on the firſt of February by his majeſty, in a ſpeech; the principal paragraphs of which, were as follow.

King's ſpeech.

"Thus ſupported by the concurrent advice of both houſes of parliament, I loſt no time in making preparations to do myſelf and my people juſtice, if the conduct of the court of Spain

Spain had laid us under that neceſſity. And at the ſame time, I did, in the ſtrongeſt manner, repeat my inſtances for obtaining ſuch juſtice and reparation for the many injuries and loſſes already ſuſtained, and ſuch an effectual ſecurity for the future, as might prevent the conſequences of an open rupture." Geo. II. 1739.

"It is now a great ſatisfaction to me, that I am able to acquaint you, that the meaſures I have purſued, have had ſo good an effect, that a convention is concluded, and ratified between me and the king of Spain; whereby, upon conſideration had of the demands on both ſides, that prince hath obliged himſelf to make reparation to my ſubjects for their loſſes, by a certain ſtipulated payment: and plenipotentiaries are therein named and appointed for regulating, within a limited time, all thoſe grievances and abuſes, which have hitherto interrupted our commerce and navigation in the American ſeas; and for ſettling all matters in diſpute in ſuch a manner, as may, for the future, prevent, and remove all new cauſes and pretences of complaints, by a ſtrict obſervance of our mutual treaties, and a juſt regard to the rights and privileges belonging to each other. I will order the convention and the ſeparate articles to be laid before you."

When the commons returned to their houſe, great debates aroſe upon the words of the addreſs. The anti-miniſterial party were, in fact, for leaving out even all mention of the convention, or mentioning it with a cenſure. Sir John Barhard took notice, that the ſpeech itſelf was moſt abſurdly worded, becauſe by that, plenipotentiaries were to regulate the grievances and abuſes that had happened to the Britiſh ſubjects, from the inſolence and cruelty of the Spaniards: to regulate abuſes, he ſaid, implied a continuance of them, but only under another form; and that the whole matter of the convention implied ſo much. In ſhort, he was againſt all expreſſions that looked like the leaſt approbation of ſo deſtructive a meaſure; and when Mr. Hanbury Williams made a motion, as uſual, in terms of the ſpeech from the throne, a motion was made, to make uſe of no more of it than juſt "to thank his majeſty for his ſpeech, and to aſſure him, that the houſe will grant him ſuch ſupplies, as ſhall be neceſſary for the honour and ſecurity of his majeſty and his kingdoms, and endeavour to avoid all heats and animoſities in carrying on the public buſineſs in that critical conjuncture." But this motion was objected to, as being both unreaſonable and diſreſpectful, eſpecially as the convention had not yet been regularly laid before the houſe. The addreſs, therefore, moved Debated.

Geo. II. 1739. moved for by Mr. Hanbury Williams, was agreed to after long debate, by a majority of 230 againſt 141. A debate of the very ſame kind happened at the ſame time in the houſe of peers, where many harſh things were thrown out, both againſt the ſpeech and the convention. But at the cloſe of the debate, the earl of Scarborough and the duke of Argyle, though they declared their diſapprobation of the convention itſelf, thought it would be indecent to make no mention of it in their addreſs, and that unanimity amongſt themſelves was of the utmoſt conſequence at that important juncture. The addreſs propoſed by the court-lords was agreed to without diviſion.

The government cenſured for their conduct.

In the mean while, the government was greatly cenſured for the tameneſs, with which their ſea-commanders behaved abroad. Admiral Haddock was unprovided of any land-forces on board his fleet, and had not offered the ſmalleſt hoſtility in the Mediterranean, and he was, upon the demur which the Spaniards had made, with regard to the claim upon the South-ſea company, and other indications of their intentions, ordered to remain at Gibraltar till farther orders. The behaviour of the Engliſh ſhips in America was equally pacific, and every corner of Great Britain was now filled with complaints againſt the miniſtry.

Defended on that head.

On their ſide it was urged, that the continuance of peace was the great view they had in all their negotiations, and they appealed to the preſent ſtate of national commerce, and wealth, whether England could propoſe to herſelf ſuch advantages, even from the moſt ſucceſsful war, as ſhe had reaped by peace. But ſuppoſing, what was not impoſſible, war ſhould be unſucceſsful, it muſt be fatal to Great Britain. It was more than probable, that France would intereſt herſelf in favour of the Spaniards, that the Dutch would be neutral in a quarrel, which would give them an opportunity of becoming the carriers of all Europe, and that the very nature of the differences between England and Spain, did not admit of the former having any ally, who could ſerve her.

As to the ſtipulations contained in the convention itſelf, it was plain by the ſatisfaction which the Spaniards were ready to make, they had receded from their claim of ſeizing Engliſh property upon the open ſeas, which was the moſt formidable grievance Great Britain had to complain of; and, indeed, the only one that could juſtify the miniſtry, in adviſing his majeſty to commence hoſtilities. The ſufferings of particular perſons were not denied, though apparently they

they had been much exaggerated; but beſides the ſatisfaction which the convention had obtained for them, it was to be conſidered, that private intereſts are not upon every ſlight occaſion to embroil two great nations with one another, eſpecially if their claims can be other ways ſatisfied. Geo. II. 1739.

But the moſt popular, and, indeed, by far the moſt material, charge againſt the convention, was that it had left to a future and a precarious diſcuſſion, the moſt important rights of Britiſh traders and ſubjects, that of navigating their ſhips from one part of his majeſty's dominions to another, without being ſubject to a ſearch, and thereby rendering it queſtionable, whether they ought to enjoy any ſuch right.

To this it was anſwered with great ſtrength of argument and juſtice, that the intereſts of the two nations in America were ſo complicated, that it was no wonder if ſome doubts and diſputes ſhould ſubſiſt between them; and in ſuch caſes, it had always been the practice of civilized nations to bring matters, if poſſible, to an accommodation. That the Spaniards, of all people, were the leaſt likely to ſubmit to a peremptory demand, and that the right of navigating the American ſeas, without being ſtopped or ſearched, was a right ſo eſſential to the commerce of Great Britain, that there was no manner of danger of any miniſter being foolhardy enough to adviſe his majeſty to inſtruct his plenipotentiaries to give it up in any future congreſs. Neither, in fact, did the words of the convention imply any danger of that kind, but only to regulate the accidental differences of commerce, which a courſe of years, and a variety of treaties had occaſioned. It was farther urged upon the part of the miniſter, that certain regulations in navigating the American ſeas, ought, in juſtice and true policy, to be laid down. For, though a free navigation from one part of his majeſty's dominions to another, is ſtipulated by the treaty of 1670, yet an abſtinence from trading with the Spaniſh poſſeſſions there, is ſtipulated likewiſe. But if the Engliſh were to take it for granted, that their ſhips, unleſs trading in Spaniſh ports and harbours, are, upon no account, to be viſited or ſearched, all the meaning of the prohibitory clauſe of the treaty of 1670, would be abſolutely defeated, becauſe an Engliſh ſmuggling ſhip may lie off ſhore, and by night run goods in her boats upon the Spaniſh coaſts; a practice, which was already but too notorious, and directly repugnant to the good faith of the Engliſh nation, and the true intent and meaning of the treaty. That, were the Spaniards to admit of this, they might as well give up their excluſive right to trade with their

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Geo. II. 1739.

own colonies; and there is not a trading nation in Europe that has not a right to the ſame.

It has been thought proper here to exhibit the ſum of the defence of the miniſtry upon this important point, and it has been done with as much brevity, as is conſiſtent with perſpicuity. The queſtion itſelf was ſpun out and repeated over and over again, in a multitude of debates that happened this ſeſſion. The popular cry, however, of no ſearch, ſtill prevailed, and all ranks of men were ſo heated by freſh informations, which daily were ſpread, of the cruelty and injuſtice of the Spaniards, even after the convention was ſigned, that it ſeemed as if a general conſpiracy for an immediate war had been formed all over the nation. A call of the houſe of commons was ordered upon the 20th of February, and it was "Reſolved, that the houſe would proceed with the utmoſt ſeverity againſt ſuch members as ſhould not then attend the ſervice of the houſe." The ſpeaker at the ſame time wrote circular letters for the ſame purpoſe to all the ſheriffs and ſtewards of the ſeveral counties of Great Britain.

A call of the houſe of commons ordered.

A common council of the city of London, for drawing up a petition to parliament againſt the convention, was held. It happened untowardly for the miniſter, that ſir John Barnard had, the preceding year, been lord-mayor, and Mr. Perry this year had ſucceeded him. Both of them were members of parliament, and both of them had diſtinguiſhed themſelves againſt the court, particularly in all parliamentary debates relating to the differences between England and Spain. Upon this occaſion, no fewer than two hundred members were aſſembled, and the petition was almoſt unanimouſly reſolved upon, the convention having been before this communicated by his majeſty's order to both houſes of parliament, and had been referred by the commons to a committee. At the ſame time, the merchants, planters, and others, trading to, and intereſted in, the Britiſh plantations in America, reſolved to petition to the ſame purpoſe.

City of London reſolves to petition againſt the convention.

Both petitions were carried into the houſe of commons the ſame day. That of the merchants, after repeating the reſolutions the houſe had come to laſt ſeſſions, obſerved, that "the Spaniards were ſo far from giving up their unjuſtifiable practice of viſiting and ſearching Britiſh ſhips ſailing to and from the Britiſh plantations, that they appear to have claimed the power of doing it as a right, by having inſiſted, that the differences that have ariſen concerning it, ſhould be referred to plenipotentiaries, to be diſcuſſed by them, without even agreeing to abſtain from ſuch viſitation and ſearch-

Petition from the merchants.

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ring the time that the diſcuſſion of the affair may laſt." The petitioners then prayed to be heard before the houſe, to repreſent the great importance of their trade to and from their own plantations in America, the clear and indiſputable right which they had to enjoy it, without being ſtopped, viſited, or ſearched, by the Spaniards, on any pretence whatſoever, and the certain and inevitable deſtruction of all the riches and ſtrength derived to this kingdom from that trade, if a ſearch of Britiſh ſhips, ſailing to and from the Britiſh plantations, be tolerated upon any pretext, or under any reſtrictions, or even if the freedom of that navigation ſhould continue much longer in a ſtate of uncertainty." Geo. II. 1739.

It was then moved, to refer this petition to the ſame committee, to which the convention had been referred, and that the petitioners be, if they think fit, heard by their council before the ſaid committee. This was objected to on the part of the miniſter, as being a very abſurd, as well as an unparliamentary motion. Mr. Pelham, therefore, ſpoke ſtrenuouſly, amongſt other members, againſt it; and made it very clearly appear, that the contents of the petition were ſuch, that no queſtion of law to be ſpoken to by council, could poſſibly ariſe upon them. He obſerved, that with regard to facts for the information of the houſe, the petitioners could themſelves ſtate them more ſatisfactorily than any council could; and that there was not a ſingle allegation laid down in the petition, in which he believed all the houſe was not agreed. With regard to the ſuggeſtion, that the very referring ſo indiſputable a right, as that of Britiſh ſubjects ſailing to and from their own plantations unmoleſted, to a future diſcuſſion, rendered it queſtionable. "It is a point, ſaid he, in which there can be no queſtion: I am ſure no gentleman in this houſe will ſay, that from ſuch a reference, any ſuch thing can be ſuppoſed. If a man ſhould claim 1000 l. of me, may not I ſubmit to hear his reaſons, and examine his vouchers, though I know I owe him nothing? This is the very caſe between us and the Spaniards: we have agreed to hear their reaſons, and examine their vouchers, that we might avoid the imputation of a haughty obſtinacy, that may hurt us with the reſt of Europe; we know they can produce nothing in ſupport of ſuch a claim, if they really are to make it, which, from their conceſſions, I very much queſtion; and then we ſhall have an opportunity of convincing them and all Europe, how very much we are in the right to inſiſt upon the freedom of our navigation." Debate upon it. MSS. debates.

Sir

Geo. II. 1739.

Sir William Wyndham, and the heads of the oppoſition, anſwered this reaſoning in a manner that ſhewed them determined to be ſatisfied with nothing that could prevent an immediate declaration of war. But their arguments, (which, in their debates, was very unuſual,) were, upon this occaſion, deſtitute even of plauſibility. For though the miniſterial party readily and ſpontaneouſly agreed to hear the petitioners by themſelves, and proved that there was no precedent for hearing counſel upon ſuch occaſions, the others repreſented the refuſal as a refuſal of a right which was due to the meaneſt Britiſh ſubject, and far more to ſo reſpectful a body as the petitioners were. At laſt the queſtion was brought to a diviſion, and it was carried, that the petitioners ſhould be heard by themſelves only, by a majority of 242 againſt 207.

Ibid.

Diviſion.

The petition from the city of London contained little but what was contained in that of the merchants with regard to the convention itſelf; but it was there remarked, that the trade between Great Britain and her American colonies, was the only profitable trade the nation then enjoyed unrivalled by others; and yet that the Britiſh colonies in America were then in a very low ſtate. The petitioners not craving to be heard either by themſelves or their counſel, the petition was referred to the ſame committee as the laſt was.

Another petition from the Weſt-India merchants of Briſtol was next preſented, containing much the ſame allegations; and after another long debate, whether the petitioners ſhould be heard by their counſel, it was ordered they ſhould be heard by themſelves only, upon a diviſion of 237 againſt 208. But to ſwell the outcry againſt the miniſter, a private petition was at the ſame time preſented from the owners of a ſhip which was taken in 1727, and it was referred to the ſame committee. Soon after a petition upon the ſame account was preſented from the Liverpool merchants, with another private petition upon the capture of the ſhip Sarah, belonging to Briſtol; praying to be heard by the petitioners themſelves or council. But the miniſter very properly obſerved, that if the proprietors of every capture made by the Spaniards were to be heard by counſel, the houſe could have nothing elſe to do; beſides the petitioners had nothing to be heard upon; becauſe no one controverted the facts laid in the petition, nor did they admit of any pleadings, but of proofs which could be brought without being embarraſſed by any council. The party in the oppoſition, however, finding their ſtrength daily encreaſing, moſt pertinaciouſly preſſed the queſtion, and at laſt it was decided by a majority of 175 againſt

Petition from the Weſt-India merchants.

Diviſion upon it.

102,

162, that the petition ſhould be referred to the committee who were to conſider of the convention. Geo. II. 1739.

So ſmall a majority upon ſo diſputed a point, gave vaſt ſpirits to the minority; and it was now publicly given out, that the oppoſition to the miniſter would not long continue in a ſtate of minority. Nothing, it is true, could have ſaved the downfal of ſir Robert Walpole at this time, but the regard his majeſty, who knew his intentions, had for the miniſter, and the attachment his friends, many of whom were of the moſt diſtinguiſhed ranks in the kingdom, had to his perſon. Some of them knew, and all of them believed, that upon the whole he was ſincerely in the true intereſt of his country; though many of them ſecretly lamented that his paſſion for peace had carried him ſo far as to put up with the indignities the ſailors and merchants had ſuffered from the Spaniards, and which formed the foundation of the outcry againſt him. State of the miniſter's intereſt.

Sir Robert, and his brother Horatio, were amongſt the very few in the nation who conſidered the ſtate of parties in a proper light. They knew that the ableſt members in the oppoſition ſecretly laughed at the outcry which in fact they had adopted, that they might ſucceed to places and to power. They were ſenſible that the conduct of the government, with regard to Spain, had not been irreproachable; but the end they had in view was laudable, nor, in any country, but in England, would it have been expected that ſome regard was not due to the prepoſſeſſions, the prejudices, and even the miſtakes of a power they were treating with, and whoſe friendſhip was ſo eſſential to their real intereſt. But the miniſter ſeldom or never urged even that argument, but reſted his defence entirely upon the equity and prudence of his adminiſtration. He diſclaimed a longer forbearance with Spain; and Mr. Keene, at this very time, had orders to declare to that court, that if his Catholic majeſty ſhould longer refuſe to fulfill the terms of the convention, that orders for repriſals would immediately iſſue, which would be attended by a declaration of war: and to ſhow that the government was in earneſt, a large reinforcement of ſhips was ſent to admiral Haddock, to enable him to act offenſively.

This did not quiet the hopes and fears of the houſe of commons. Beſides the public petitions already mentioned, one was preſented from the truſtees of the colony of Georgia, then in an infant but a promiſing ſtate. The Spaniards, on pretence that that colony was to the ſouthward of Carolina, and that, therefore, it belonged to them, had made a formal Other petitions.

Geo. II. 1739. claim of it in a letter from Geraldino to the duke of Newcaſtle, and had even the inſolence to refuſe to treat concerning the limits, or that it ſhould be ſo much as mentioned in the convention. This was a direct impeachment of the right his majeſty had to inſtitute the colony, which, as the petitioners obſerved, "granted to them and their ſucceſſors for ever, ſeven undivided parts of all thoſe lands, countries, and territories in that part of South Carolina in America, which lies from the moſt northern ſtream of the Savannah river, all along the ſea coaſt to the ſouthward, unto the moſt ſouthern ſtream of the Alatamaha river; and weſtward from the heads of the ſaid river, in direct lines to the South-Seas, with the iſlands in the ſea, lying oppoſite to the eaſtern coaſts of the ſaid lands, within twenty leagues of the ſame; all which his majeſty thereby made, erected, and created one independent and ſeparate province by the name of Georgia."

One from the truſtees of Georgia.

The miniſter was by his enemies charged as being the author of this unreaſonable obſtinacy of the Spaniards, though nothing could be more unexceptionable than the whole tenure of his conduct was in that reſpect. He had not only left the management of the colony entirely to the truſtees, but agreed to every meaſure that could fruſtrate the deſign of the Spaniards, which was, to attack the colony from their fort at St. Auguſtine. For this purpoſe, a regiment was raiſed in England, and ſent over to Georgia, under the command of general Oglethorpe, which, with ſome other troops, was held to be ſufficient for the defence of the colony, and which actually baffled the attempts of the enemy. In the mean while, the houſe of commons in England ordered ſome papers, of no great conſequence, relating to the colony, to be laid before them. The enemies of the miniſter ſeemed to lay great ſtreſs upon theſe papers, which conſiſted in memorials and repreſentations, and were diſappointed in his not oppoſing their being laid before the houſe. They were, however, indefatigable in their attempts againſt him, and petitions againſt the convention were brought up from all hands, even from Edinburgh and Glaſgow, not to mention other places in Scotland ſcarcely ever heard of in a news-paper.

State of that colony.

At laſt, on the 6th of March, a committee of the whole houſe of commons ſate to conſider of the convention, and of the ſeveral papers relating to it. This, the reader may eaſily imagine, produced many, and thoſe long, debates, which as he has already had the ſubſtance of them, ſhall not be here repeated. In the courſe of the debate, however, it appeared, that the miniſter's friends were the moſt powerful in the houſe;

Debates.

houſe; and the oppoſition thinking this was the laſt effort they could make againſt him with any probability of ſucceſs, formed the ridiculous as well as unconſtitutional reſolution of alarming the nation, by abſenting from their duty in parliament, ſhould the convention be approved of. This meaſure ſeemed to have been dictated by ſir William Wyndham, with a view of intimidating the miniſter; and that party, during the debate, made no ſecret that they were determined never to come into the houſe again. Sir Robert Walpole did all that was conſiſtent with his duty and dignity to divert them from ſo unbecoming a procedure. He talked in private to ſome of them with whom he was on ſpeaking terms; but they imputed to fear the advice which really proceeded from friendſhip. Geo. II. 1739. The ſeceſſion of members formed.

When the committee was over, Mr. Francis Fane moved the houſe, "That an humble addreſs be preſented to his majeſty, to return his majeſty the thanks of this houſe, for having been graciouſly pleaſed to communicate to this houſe the convention, together with the ſeparate articles lately concluded between his majeſty and the king of Spain; to expreſs our moſt grateful acknowledgments for his majeſty's particular care and tender regard for the intereſts of his people, in having obtained, by the ſaid convention, a final adjuſtment of their long depending demands for the loſſes they had ſuſtained, and an expreſs ſtipulation for a payment to be made them, in a ſhort time, upon that account; to declare our ſatisfaction in the foundation which his majeſty has laid for preventing and removing the like grievances and cauſes of complaint for the future, and for preſerving the peace between the two nations; and our reliance on his majeſty, that from his conſtant attention to the honour of his crown, and the undoubted rights of his people, effectual care will be taken in the ſolemn treaty, to be made purſuant to this convention, that the freedom of navigation in the American ſeas may be fully ſecured and eſtabliſhed for the future; and that his majeſty's ſubjects may enjoy, unmoleſted, their undoubted right of navigating and trading to and from any part of his majeſty's dominions, without being liable to be ſtopped, viſited, or ſearched on the open ſeas, or to any other violation of the treaty ſubſiſting between Great Britain and Spain, as the only means to preſerve, upon a laſting foundation, a good correſpondence and friendſhip between the two crowns; and that in regulating and ſettling the limits of his majeſty's dominions in America, in the treaty to be made with Spain, the greateſt regard will be had to the rights and poſſeſſions belonging to his majeſty's crown and ſubjects; and to aſſure his Motion for an addreſs.

Geo II. 1739. majeſty, that in caſe his majeſty's juſt expectations ſhall not be anſwered, this houſe will, with the greateſt zeal and chearfulneſs, ſupport his majeſty in taking ſuch meaſures as ſhall be neceſſary to vindicate his majeſty's honour, and to maintain his ſubjects in the full enjoyment of all thoſe rights which they may juſtly claim by treaty, or the law of nations."

Reflection upon it.

It is to this day amazing, that an addreſs every way ſo unexceptionable as this was, when rightly underſtood, and which contained the declared ſentiments of the gentlemen in the oppoſition themſelves, ſhould raiſe ſuch a flame as it did. Mr. Pelham diſtinguiſhed himſelf on this occaſion, and ſhewed, in the moſt candid manner, that, by agreeing to ſuch an addreſs, no right or claim of the nation could poſſibly be prejudiced; becauſe the very addreſs contained a ſaving of them all. He obſerved, that nothing contained in the convention, excepting the adjuſtment of claims, and the ſtipulation for payment by the crown of Spain, was final; and that there was not a ſingle point contended for by the oppoſition, that was not expreſsly provided for by the addreſs, and that too in their own terms. All he could ſay had no weight, and ſerved rather to aggravate matters; and it was expected that things would come to extremities. Mr. P. in ſpeaking againſt the convention, made no ſecret that the duke of Argyle, who was then the idol of all parties, was the declared enemy of the miniſter; and his grace happening, through curioſity, at that time to be in the houſe of commons, Mr. P. deſcribed him ſo plainly, that he thought proper to withdraw. "They who had the courage, ſir," ſaid Mr. P. "to follow the dictates of their own breaſts (I do not mean to reflect on any gentleman) were diſabled from farther ſerving their country in a military capacity. One exception, ſir, I know there is, and I need not tell gentlemen that I have in my eye one military perſon, great in his character, great in his capacity, great in the important offices he has diſcharged, who wants nothing to make him ſtill greater but to be ſtripped of all the poſts, of all the places he now enjoys.—But that, ſir, they dare not do."

Journals of the houſe of commons.

This was followed by a great many perſonal reflections from both parties; but, at laſt, the queſtion being put, the addreſs, as moved for, paſſed by a majority of 244, againſt 214.

Sir William Wyndham declares his intention to ſecede.

Immediately after the diviſion was over, ſir William Wyndham made one of the fineſt ſpeeches, though the leaſt guarded, that ever was heard in that houſe, or perhaps in any other aſſembly; declaring his intention never again to come within thoſe walls; and concluding with the following

empha-

emphatical prayer: "I ſincerely pray to Almighty God, who has ſo often wonderfully protected theſe kingdoms, that he will graciouſly continue his protection over them, by preſerving us from that impending danger which threatens the nation from without, and likewiſe from that impending danger which threatens our conſtitution from within." Geo. II. 1739.

His danger.

Nothing but the ſteady moderation of ſir Robert Walpole could have prevented ſir William from being ſent to the Tower, after delivering a ſpeech which was ſo diſreſpectful to the majority of the houſe, and which in a manner ſounded the trumpet of rebellion. Mr. Pelham was riſing to make the motion for committing him; but ſir Robert, with true magnanimity, reſtrained him, and painted the party to which he ſuppoſed ſir William to be attached, in terms much more ſevere than he had ever been known to uſe in that houſe. His ſpirit and reſolution on this occaſion, procured him more honour than he had ever before acquired; and amongſt other things he mentioned a like reſolution which the tories and jacobites had come to of abſenting from their duty in parliament, at the time the biſhop of Rocheſter was condemned.

He is attacked by ſir Robert Walpole.

Debates in the houſe of peers,

In the houſe of peers, the affair of the convention was more accurately debated than it had been in the houſe of commons. It was well known, that de la Quadra's proteſt had been offered to the South-Sea company, and lord Carteret moved to have it laid before the houſe. The lords in the adminiſtration would gladly have avoided this, becauſe it could not affect the execution of the convention, it not having been ſigned by any Britiſh miniſter, and relating only to a private diſpute between the king of Spain and the South-Sea company. But the houſe ſeeming to be of opinion, that it was neceſſary to lay that paper before them, the duke of Newcaſtle, ſecretary of ſtate, very frankly undertook to do it. Soon after, a petition from the city of London againſt the convention, was preſented to the houſe by the duke of Bedford, as was another from the Weſt-India merchants by lord Carteret, and praying to be heard againſt it by themſelves and counſel. Upon this lord Ilay made ſome ſevere obſervations upon the tumultuous and diſreſpectful manner in which the petitioners had behaved towards the parliament. Lord Delawar objected to hearing the petitioners by counſel, the merchants who had petitioned againſt the treaty of Utrecht having been heard by themſelves only. This difference in opinion introduced a debate of the ſame nature as that which had paſſed upon the ſame queſtion in the houſe of commons; but

on the convention.

Geo. II. 1739. at laſt it was carried, that the petitioners ſhould be heard by themſelves only.

De la Quadra's proteſt read.

But when the convention itſelf came to be debated in the houſe of peers, the debates were of an unuſual length, and the ſpeakers had ſtudied to great preciſion the ſeveral parts they were to take in the queſtion. The proteſt of de la Quadra, when read in the houſe, ſeemed to throw the lords in the oppoſition into conſternation; and they affected to conſider it as a piece of Spaniſh craft and inſolence, and an intire defezance of the convention on the ſide of Spain, while England was on her part obliged to perform all that ſhe had ſtipulated. The character of Mr. Keene and his negotiations, were on this occaſion very freely treated; and it was ſaid, that he ought not ſo far to have forgot his character, as to have accepted that proteſt from de la Quadra. In ſhort, it was ſuggeſted, that he had orders from the miniſter at home, and that the whole was a juggle, in order to avoid a war, and to gratify the avarice and ambition of the Spaniſh court. Lord Harvey undertook the defence both of ſir Robert Walpole and Mr. Keene. He endeavoured to ſhow, that this proteſt was in a manner thruſt upon the latter, before he could know what it contained. He ſhowed how tenderly Mr. Keene, as agent for the South-Sea company, was obliged to behave with regard to the court of Spain; and inſinuated as if the French had made that court an offer to have the South-Sea company's aſſiento trade transferred to them.

Debate upon it.

Speech of lord Harvey.

"My lords, continued he, his Catholic majeſty is in this caſe to be looked upon not only as a ſovereign prince, but as a conſiderable merchant. For your lordſhips know, that by treaty he is intitled to a large ſhare, I think, one fourth, of the profits ariſing from the company's trade. Now, my lords, this being the caſe, it follows that his Catholic majeſty's miniſters muſt likewiſe be conſidered not only as the public miniſters for his crown, but as agents to the mercantile intereſt. On this account it is, my lords, that if theſe two characters have been confounded together, they have been ſo only on the part of the Spaniſh miniſtry, who ridiculouſly inſiſt on their maſter's having it in his power as a ſovereign, to ſuſpend the aſſiento contract, in caſe a debt is not paid which is due to him as a merchant. Mr. Keene, my lords, has done no more than to accept this declaration, which, as agent for the company, he was obliged to do, it relating immediately to their concern. If he had ſigned it, my lords, he might have juſtly been blamed; but as he has not ſigned it, it can be

be looked upon as no act of his, and conſequently he is not anſwerable for it." Geo. II. 1739.

Notwithſtanding his lordſhip's reaſon, a motion was made, "That a day be appointed for examining the directors of the South-Sea company, touching the ſum of 68,000 l. mentioned in the declaration given to the Britiſh miniſter, ſigned at Pardo the 10th of January; which ſum is by his Catholic majeſty claimed as a debt due to him by the ſaid company: and that the directors of the South-Sea company be ordered to attend the bar of this houſe for that purpoſe." Motion.

This motion was objected to, as being very improper. Lord Harvey obſerved, that the South-Sea company was a trading company, and as ſuch had undoubtedly ſecrets in trade, which it would be very unjuſt, as well as impolitic, to oblige them to reveal at the bar of that houſe; and that therefore the motion ought not to be complied with, if it could be avoided. The earl of Ilay was of opinion, that the whole matter ought to be ſettled by the South-Sea company and the Spaniſh miniſter at London, without the intervention of any other power. He was, he ſaid, confirmed in that opinion, by underſtanding that the South-Sea company had actually appointed a day for taking into conſideration the merits of the debt claimed by the court of Spain. Should it be found to be a juſt debt, they undoubtedly muſt pay it, and the convention muſt then ſtand in its full force, as if no ſuch proteſt had been made. Upon the whole, if they ſhould not find it to be a juſt debt, and the crown of Spain ſhould be ſo unreaſonable as to inſiſt upon the validity of the proteſt for ſetting aſide the convention, if not complied with, the matter would then come before the houſe in a proper manner: but, in any event, his lordſhip inſiſted on it, that a proteſt ſigned but by one miniſter, and that too relating to a mercantile tranſaction, ought not to be conſidered as affecting the validity of a public treaty, nor ought it to come under the cognizance of that houſe. Debated.

The duke of Argyle was of a different opinion: "My lords, ſaid he, as the noble lord who ſpoke laſt inſiſted that this affair was of a private nature, and concerned only one ſet of men amongſt us, I ſhould be very far from taking up your lordſhips time in ſpeaking for the motion; but, my lords, it appears to me to be an affair that concerns the honour of the crown, and the intereſt not only of the South-Sea company, but of all the kingdom. It in a more ſpecial manner concerns the affair which we are to have under our delibe-

Geo. II. 1739. ration in a very few days; I mean the convention; for your lordſhips ſee, that the Spaniſh miniſter, by this declaration, allows no ſtrength, no validity, to that treaty, any farther than the terms of his demands are complied with. But, my lords, how is it poſſible for us to know how reaſonable theſe demands are, unleſs we hear what the party concerned has to ſay? Shall we give our approbation to a treaty wherein one of the contracting powers previouſly tells us, that the validity of the treaty does not depend either upon our approving, or his majeſty's ratifying it; but upon an event, that, properly ſpeaking, has no regard to the treaty itſelf? So that, my lords, it ſeems the Spaniards are of opinion, that we are either to force the South-Sea company to comply with the terms of this declaration, or we are to look upon all that has paſſed betwixt our miniſters and them as a meer farce. This, ſir, is plainly the language of the declaration; and I might challenge any man alive to make any other meaning out of it."

His grace then proceeded to blame Mr. Keene's conduct in pretty ſevere terms; and as his information was very good, the houſe appeared to be greatly ſtartled when he ſaid, "That the declaration was made in due form, before the convention was either ſigned or ratified; ſo that, continued he, if the South-Sea company ſhould refuſe to pay the 68,000 l. I dare venture to lay all that I am worth in the world, that the Spaniſh court will inſiſt upon a nullity of all that has been done, and proceed in the ſame manner as if nothing had been done. They will tell us, that this declaration is of the ſame force with any article of the convention; that they gave us fair warning of it before the convention was ſigned; and that if we had not been pleaſed with the terms, we were under no obligation to ſign the convention, ſince it was not their fault, if we were not ſufficiently apprized of the conſequences. His grace next took notice, that the court of Spain had, indeed, a right to demand from the South-Sea company the execution on their part, but no right to tell them, that if they will not pay whatever arbitrary demand he is pleaſed to make, he will revoke the contract." The duke, therefore, was for complying with the motion, that the houſe might have an opportunity of ſtrengthning his majeſty's hands to obtain juſtice for the company, as well as for the reſt of his ſubjects. The queſtion, however being called for, it went againſt the motion by a majority of 49 againſt 42.

When

When the two houſes went up to his majeſty with their Geo. II.
ſeveral addreſſes, he returned them the gracious anſwers, 1739.
which the reader will find in the [a] notes.

His majeſty anſwers the addreſſes.

The minds of people, both without and within doors, were ſo much prepoſſeſſed againſt any thing that looked like doing common juſtice to the miniſter, eſpecially in this affair of the convention, that they did not give themſelves leiſure to reflect that the parliament had done every thing which they themſelves had contended for, excepting branding with infamy a meaſure of which his majeſty had ſignified his approbation. The very warmeſt friends of the convention never affirmed or meant, that if the freedom of navigation was not amply ſecured, if ſatisfaction for paſt loſſes, and ſecurity againſt future inſults, was not obtained, Great Britain was not to endeavour to compell the Spaniards to do her juſtice in all thoſe reſpects. The very meaſures which the government had taken, and were daily taking, in augmenting their marine, in reinforcing their poſſeſſions both in Europe and America which were moſt liable to be inſulted by the Spaniards, proved this to be their ſentiments; and Mr. Keene's inſtructions never had given the Spaniards the ſmalleſt encouragement to believe, that the point of no ſearch upon the open ſeas would be given up.

Conduct of the government.

To enflame the minds of the people yet more, the heads of the oppoſition printed and diſperſed gratis all over the kingdom, liſts of the names of thoſe who voted in the houſe of commons for and againſt the convention; and to each of the names they affixed the places or poſts he enjoyed under the government, with the ſalary or reputed income annext to

Liſts printed of the voters for and againſt the convention.

[a] His majeſty's moſt gracious anſwer to the lords,

"My lords,

"I thank you for this dutiful and affectionate addreſs, and for the dependence you expreſs on my care to make uſe of the confidence you repoſe in me, for the general benefit of my people. You may rely on the continuance of my endeavours to perfect the accommodation with the court of Spain, in ſuch a manner as may be moſt for the honour of my crown, and the true intereſt of my kingdoms; and that I will perſue ſuch meaſures as ſhall appear to be moſt conducive to the future ſecurity of the trade and navigation of my ſubjects."

His majeſty's anſwer to the commons.

"Gentlemen,

"I return you my thanks for this dutiful and loyal addreſs, and you may be aſſured that I will uſe my beſt endeavours to bring this important affair to a ſpeedy and happy concluſion."

it.

Geo. II. 1739.

it. It must be confessed, that the number of these amongst the friends of the convention, far exceeded those possessed by the gentlemen who voted against it; but it ought to have been considered at the same time, that other passions have sometimes as strong influence, and operate as powerfully, as that for money or preferment. It is, however, incredible what impressions to the disadvantage of the ministser those arts made upon the minds of the people. For, at the same time, and in the same papers, were published certain queries tending to justify the secession from parliament, and in fact proclaiming to all the nation, that the parliament itself was become a nusance, and that, in fact, the constitution was dissolved.

Protests.

The publishing the protests of the peers, and circulating them all over the kingdom, was another artifice employed by the opposition in prejudice of the government. Those protests were generally drawn up with great strength, precision, and elegance of language; and in a few paragraphs they severally contained a dispassionate summary of what was advanced in many angry pamphlets. The protest entered against the address approving of the convention, was of this kind. The house had entered very minutely into an examination of the progress of the commissaries of the two crowns, and thereby had an opportunity of knowing facts to which the public were strangers. In their protest, upon this occasion, they represented the reparation made to the British merchants by the convention, as being a very dark transaction; and they complained of their having received no satisfactory reason why their demands stated in an account June 14, 1738, by Mr. Stert, one of the commissaries, should be so greatly reduced. The reasons, however, given by Mr. Stert at their lordship's bar for this reduction, had been satisfactory to the majority, though they seem not to have been so to the protesting peers, nor to the bulk of the nation when enflamed by party writings.

Case of the South-Sea company explained.

Nothing, at this time, could be more obnoxious to all parties than the conduct of the South-Sea company, which had been so inconsistent as to give the Spanish court a handle for defeating all the terms of the convention. The public was convinced that the representations of the directors of that company, had induced the Spaniards to their most unwarrantable excesses and claims against the commerce of England in America; because the company looked upon all British subjects whom they suspected of trading with the Spanish settlements, as interlopers upon their trade. In consequence of their complaints on this head, the court of Spain had made a merit

a merit with the Britiſh miniſter in having endeavoured to ſtop an illicite trade which was ſo prejudicial to ſo great a public company. But at the ſame time Geraldino had orders to demand of them the 68,000l. upon the following pretexts. Geo. II. 1739.

The aſſiento treaty had ſettled the duties agreed to be paid for negroes introduced into the Spaniſh Weſt-Indies, at a certain number of dollars, which had been always paid by the company to the Spaniſh officers according to the rate of exchange between Great Britain and Spain; nor had the latter ever made any complaint of ſhort payment. The court of Spain, however, a good many years before this demand was made upon the company, had given a currency to another ſpecies of dollars more valuable than the exchange dollar in which they always had been paid their duty; and they now moſt abſurdly claimed to be paid all the arrears of difference between the old exchange dollar and the new dollar, ever ſince the inſtitution of the latter.

The next pretext of the demand mentioned in De la Quadra's proteſt, was upon occaſion of the ſhip Caroline, which had been employed by the company as an annual ſhip, and of whoſe clear gains the king of Spain was entitled to one fourth; which not having been paid, and added to the ſum claimed upon the deficiency of the dollars, made up the ſum of 68,000l. ſo peremptorily demanded by Spain from the company.

But to thoſe demands the court of directors readily replied, that it was abſurd and ridiculous to think that the company would comply with the firſt, by admitting of a retroſpect after ſo many years paying the former duty.

To the ſecond they ſaid, that by frequent ſeizures of the company's effects, by their denying licences, or if obtained, by the refuſal of their officers to obey them, and by other iniquitous practices, the annual ſhip granted to the company as an inducement for them to undertake the negroe trade, the company had ſuffered more than they had by the negroe trade for which it was intended to compenſate; and that excepting by the Royal Caroline and another ſhip, they had always been loſers by their annual ſhips. They urged at the ſame time, that by the two ſeizures of the company's effects, the firſt in 1718, the other in 1727, they loſt upwards of a million ſterling by fair accounts given in; and which being ſtill due to them by the king of Spain, it was but juſt that his Catholic majeſty ſhould ſettle the accounts before he expected

Geo. II. 1739.

pected payment of his claim, be it ever ſo juſt, which they, the court of directors, could not admit it to be.

Geraldino did not ſeem to object to this propoſal, and informed them, that he was ready to enter into a particular negotiation with them upon that account, which he accordingly did, promiſing to tranſmit to his court all their demands; but in order to facilitate the negotiation, he ſaid, that their owning the balance of 68,000 l. to be due to his maſter, ought to be the baſis of it. This plauſible propoſal ſtruck the majority of the directors who were in the intereſt of the miniſter, and knew how fond he was of peace. They thought they could no way make their court to him ſo effectually, as by continuing the negotiation, and they fairly acknowledged the debt, but at the ſame time with the expreſs proviſo, that their own claims ſhould be ſatisfied by the court of Spain. Theſe were, that his Catholic majeſty ſhould previouſly grant them a prolongation of the term of their trade, and likewiſe give a certain ſpecified ſecurity for the ſpeedy payment of the debt of one million and a half of dollars, which, they ſaid, he had often acknowledged to be due to them.

Geraldino at firſt ſeemed to demur to thoſe propoſals, but having obtained an acknowledgment of his maſter's claim, he ſeemed willing to agree to them, in order to bring the company to a more expreſs acknowledgment of the debt of 68,000 l. At laſt, finding that they diſowned the juſtice of that demand, unleſs their own was complied with, and well knowing that all their ſecurity, which his majeſty could give, and which the company contended for, might be eaſily evaded, he appeared willing to comply; but perceiving how much the miniſter was puſhed upon the head of the convention, and expecting a total revolution in England upon that account, he pretended to enter into a minute enquiry into the proofs of the claim brought by the company, and he propoſed other terms, which were rejected. Upon this, overlooking all the proteſtations the company had made as to his maſter's claim, he dropped all other conſiderations, and ſtuck to their acknowledgment, as he called it, of its being a juſt claim, threatening at the ſame time, that if they did not comply, his maſter would reſume all the privileges and trade with his dominions, which had been ſo ſolemnly confirmed by treaties, and by his Catholic majeſty's own words and promiſes.

Peremptory demand of the Spaniſh miniſter upon it.

Such was the poor, unſupported, inſidious ſcheme, which the court of Spain formed as a pretext for not fulfilling the terms of the convention. The diviſions of England con-

firmed

firmed them in it, and theſe were farther increaſed by the clamour raiſed by the oppoſition againſt the miniſter, as if he had been the firſt who had ſuggeſted it to the court of Spain. Though nothing could be more unjuſt and more improbable than this ſuggeſtion, yet it had its deſired effect. For though the Spaniſh miniſtry were far from being deſirous of a war with England, yet they imagined, that the miniſter was ſtill more averſe to it than they, and that, rather than be brought into it, he would connive at their darling purpoſe, of obtaining ſuch a definitive treaty, as ſhould leave them at liberty of ſearching Engliſh ſhips, who ſhould be found ſailing within a certain diſtance of the Spaniſh ſhores in America. Geo. II. 1739-1

Effects of the ſeceſſion.

In the mean while, the nation was greatly divided as to the propriety of about ſixty members in the oppoſition having ſeceded, as they called it, from their duty in parliament. The more thinking part of the anti-miniſterial party without doors were of opinion, that as the convention had been carried only by thirty voices, the ſeceding members, if they had had nothing but the good of their country in view, would have perſevered in their endeavours to increaſe their numbers; and that in no event, and upon no pretext, they ought to have, in a manner, thrown up every thing to the direction of the miniſter. He, on his ſide, very wiſely endeavoured to ſhow the nation, they were no great loſers by the abſence of the ſeceders; for this purpoſe, he encouraged, nay, invited, every ſcheme that could be brought into parliament for the advantage of Great Britain and her colonies. In this, he ſucceeded ſo well, that, many of the ſeceders, aſhamed of the weakneſs of their conduct, returned to their duty in the houſe, and thoſe who ſtood out, though ſome of the heads of the party, retiring to the country, endeavoured to give the inhabitants an impreſſion that the conſtitution was diſſolved, and that nothing but violent meaſures now remained to relieve them from the tyranny of an oppreſſing miniſter.

Relief given by parliament to the ſugar colonies.

To ſhow that the government intended to give all relief poſſible to the greateſt ſufferers by the Spaniſh depredations; on the 4th of April, Mr. Winnington preſented to the houſe a bill, for granting a liberty to carry ſugars of the growth, produce, or manufacture of any of his majeſty's ſugar colonies in America, from the ſaid colonies, directly to foreign parts, in ſhips built in Great Britain, and navigated according to law. Though this bill, after the moſt mature deliberation, was thought to be the moſt effectual meaſure for giving the ſugar colonies that relief, which they had ſo long

applied

Geo. II. 1739.

applied for to parliament, yet it was warmly oppoſed by the ſame great trading bodies of the nation who had oppoſed the convention. Petitions from London, Briſtol, Liverpool, and other places, were preſented againſt it, as being contrary to the navigation act, and ſeveral ſubſequent acts, which reſtrained the trade of the Britiſh colonies entirely to Great Britain, and deſiring to be heard by council againſt it, which they accordingly were; but the bill being thought ſo much for the advantage of the ſugar colonies, paſſed into an act that ſeſſion.

Princeſs of Wales delivered of a ſon.

About this time, her royal highneſs the princeſs of Wales was delivered of another ſon, upon which his majeſty and the royal family received the warmeſt congratulations from both houſes of parliament, the city of London, and other reſpectable bodies of the kingdom.

Differences in the North about Steinhorſt.

During the laſt receſs of parliament, an affair happened in the North, which threatened to diſturb the repoſe of Europe. His majeſty, as elector of Hanover, had bought, as being convenient for his electoral dominions, the caſtle of Steinhorſt, and the eſtate round it, from the duke of Holſtein; but ſome diſpute happening about the title between that duke and a ſubject of Denmark, the king of Denmark taking part with the latter, had ordered a party of his troops to garriſon the caſtle. When a detachment of Hanoverians came to demand poſſeſſion of it in the name of their ſovereign, they were oppoſed by the Danes, upon which a ſkirmiſh enſued between the two parties, and the Hanoverians prevailing, they took poſſeſſion of it in form. His Daniſh majeſty thought, that this proceeding was derogatory to his rights, as ſuperior of the caſtle and the lordſhip, and reſented it accordingly. This happened unluckily for the government of Great Britain, at a time when they were upon the eve of a war with Spain; but as his Daniſh majeſty did not ſeriouſly intend to break with the king of Great Britain, the affair was ſoon compromiſed. The Hanoverians evacuated the caſtle of Steinhorſt, and the king of Denmark conſented to ſubmit the whole affair to arbitration.

Though nothing could be more unexceptionable than this compromiſe, or leſs in favour of his Britannic majeſty, as elector of Hanover, yet it opened the mouth of faction in England, which ſuggeſted that the compromiſe had been concluded at the expence of Great Britain, whoſe miniſters were then negotiating a treaty of ſubſidy with Denmark.

Accord-

Accordingly, on the 10th of May, sir Robert Walpole, as chancellor of the exchequer, delivered to the house of commons the following message from his majesty. Geo. II. 1730.

"George R.

"His majesty being truly sollicitous for the peace and welfare of these kingdoms, and desirous to contribute as far as in him lies towards preserving the public tranquillity and the balance of power in Europe, hath concluded with the king of Denmark a treaty, agreeable to that which expired in 1737; and has ordered the same to be laid before this house, that he may be enabled to make good the engagements which he hath thereby entered into. King's message to the house of commons.

"And as events may happen during such time, as it may be impossible for his majesty to have the immediate advice and assistance of his great council, upon any emergency, arising from the present posture of affairs in Europe, which may nearly concern the honour, interest, and safety of these kingdoms; his majesty hopes he shall be enabled and supported by parliament, in making such farther augmentation of his forces, either by sea or land, as may become absolutely necessary; and in concerting such measures, as the exigency of affairs may require, whatever expence shall be thereby occasioned, shall be made in as frugal a manner as is possible; and an account thereof shall be laid before this house the next session of parliament."

This message being referred to a committee of the whole house, the treaty was read. It differed little from the treaty that expired in 1737. All former treaties between the two powers were confirmed by it. The king of Denmark engaged himself to keep during three years, 5000 foot and 1000 horse in readiness, for the service of Great Britain, so as to be, always in a condition to march within two months after notice given. But if Great Britain's immediate defence should require it, those troops shall begin their march upon the first summons they shall receive. As his Danish majesty at the same time was obliged to send troops to powers in alliance with him, his Britannic majesty, in consideration of the great expence, in augmenting the Danish troops, engaged himself to pay 80 crowns for every trooper, and 30 for every foot soldier, of which one half was to be paid after signing the treaty, and the other half after the troops are delivered; besides, Journals of the house of commons. Contents of the treaty with Denmark.

His Britannic majesty engaged to pay to his Danish majesty 250,000 crowns banco annually, while the said troops continue in the Danish pay; and 150,000 after entering into the

Geo. II. 1739. Subſidy.

the pay of Great Britain. By the 7th article, either king is to aſſiſt the other, if attacked, as occaſion ſhall require.

Such was the ſubſtance of this treaty, which was moſt erroneouſly repreſented by the hiſtorical collections of that time. Though it was generally allowed to be a wiſe and a neceſſary meaſure at that time, yet it met with ſome oppoſition in both houſes. But upon the 14th of May the commons voted the ſum of 75,583 pounds to make it good. At the ſame time, they voted 500,000 pounds to his majeſty, towards enabling him to make ſuch further augmentation of his forces, either by ſea or land, as may become abſolutely neceſſary, and as the exigency of affairs might require.

500,000 pounds granted to his majeſty.

It had been allowed in the courſe of the debates, that it would be at leaſt imprudent to diſpute with Spain the payment of the 60,000 l. as due to her for the deſtruction of her ſhips in the Mediterranean in the year 1718, and upon other accounts, and which ſhe inſiſted upon deducting from the ſum ſhe ſtipulated to pay to the Britiſh ſufferers by her depredations. The ſum, however, of 60,000 l. being to be paid by parliament, it was thought reaſonable to vote that ſum to be added to the 95,000 l. and the whole applied to the relief of ſuffering merchants. It may be proper to inform the reader, that the granting his majeſty 500,000 l. as above, was oppoſed by the few remaining members of the oppoſition, who ſtuck to their duty in the houſe, but it was carried by a majority of 141 againſt no more than 20.

On the 3d of May, his majeſty ſent by ſir Robert Walpole the following meſſage to the houſe of commons.

"George R.

Meſſage from his majeſty for a ſettlement upon his younger children,

"His majeſty being reſtrained by the laws now in being, from making proviſions for his younger children, out of the hereditary revenues of the crown, in ſuch a manner as his royal predeceſſors have uſually done; and being deſirous that competent proviſions may be made for the honourable ſupport and maintenance of his dearly-beloved ſon, the duke of Cumberland, and his dearly-beloved daughters, the four young princeſſes; his majeſty hopes, that he ſhall be enabled by act of parliament, to grant an annuity of 15,000 l. per annum to the duke of Cumberland and his iſſue, and 24,000 l. per annum to the four princeſſes; to take effect after his demiſe: and recommends the conſideration thereof to this houſe."

which is agreed to.

Accordingly it was ordered, upon Mr. Pelham's motion, "That leave be given to bring in a bill, for enabling his majeſty to ſettle an annuity of 15,000 l. per annum on his

royal highneſs the duke of Cumberland, and his iſſue; and Geo. II.
alſo to ſettle on their royal highneſſes the princeſſes Amelia, 1739.
Caroline, Mary, and Louiſa, another annuity of 24,000 l. per annum."

This bill had a ſpeedy paſſage through the houſe of commons, and met with no great obſtacle in the houſe of lords. Lord Carteret, though far from oppoſing the bill, obſerved, that, though what are called the hereditary revenues of the crown, are ſettled upon the king by parliament, yet, in fact, they were his by a fair paction, in conſideration of the rights of wardſhips given up by Charles II. at the time of the reſtoration; and that therefore it was poſſible that future kings of England might not think themſelves bound even by an act of parliament, to part with ſo much of their revenue. But lord Hervey and others replied to this ſeemingly deſpotic doctrine, in a manner, which the weight of the obſervation by no means deſerved. Lord Hervey in particular ſaid, that it was an argument more proper to come from a turbanded head in a divan at Conſtantinople or Iſpahan, than from a Britiſh nobleman, and that the very granting the ſaid revenue at the beginning of every king's reign, was a ſelf-evident proof, that the parliament looked upon themſelves as authoriſed to confirm the diſpoſal of, at leaſt, part of it, which was all the bill implied. MSS debates.

But at this time, every meaſure, however innocent or indifferent, that paſſed either houſe of parliament, was looked upon to be dictated by the miniſter, and promoted by him from ſome private view. This notion, which was univerſal, ſubjected him to a great deal of perſonal ſatyr; nor did even this harmleſs, unexceptionable bill, go through the houſe of peers, without his being laſhed by his enemies. The prince of Wales, at that time, lived abſtracted from all court connections; he was in high popularity, and having a growing iſſue, notice was taken, in the courſe of the debate, that his children were not only unprovided for, but unprayed for. This obſervation aroſe from the form of prayer for the royal family, which had been iſſued from the privy council, upon the marriage of the prince of Wales, where the duke's name ſtood next the prince and princeſs of Wales. The houſe underſtood this obſervation to be levelled at the miniſter; but the earl of Wilmington, who ſeldom ſpoke in any debate, broke his uſual ſilence on this occaſion, and informed the houſe, that he himſelf was the perſon who had counſelled his majeſty to order the form of prayer to be as it then ſtood, and that the miniſter knew nothing of the matter. Ibid.

Geo. II. 1739.

This generous, frank, declaration had the desired effect, and the bill passed without farther opposition.

Mrs. Stephens's medicine bought by parliament.

Before the account of the proceedings of this session is finished, it is proper to inform the reader, that one Mrs. Stephens, having in her possession a receipt for a medicine to cure the stone and gravel, and offering to disclose the secret for 5000 l. reward, the parliament took the same into consideration. An attempt had been made to raise the money by private subscription, but that not answering, and the virtues of the medicine having been experimentally proved, her petition, upon a division of 105 against 62, was referred to the consideration of a committee of the whole house; and though it continued to meet with a vigorous opposition from the ministry, it was this session carried through, and she received the money accordingly. Amongst other public bills this session, was one for enlarging the powers of the commissioners for Westminster bridge, and to enable them by a lottery to raise the money for building the bridge, and for other purposes mentioned in the bill. This was a noble and a public-spirited bill, worthy the dignity of the British legislature. Foreigners had often expressed their surprize that more bridges were not built over the finest and most communicative river in the world, for the benefit of commerce and intercourse; but the design was above a private undertaking, and no administration before had had the spirit to bring it into parliament. The utility of the thing being, however, universally allowed, the minister readily gave it his countenance. The vast expence attending the execution, seemed at first to damp the friends of the undertaking, and all they could propose was, to build a wooden bridge upon stone piers, which in some happier age might serve as a foundation for a stone superstructure. But after the bill was brought in, the necessity and conveniency of the undertaking grew every day more and more evident to the public, and at last a resolution was taken in this session to compleat the whole at once in stone, to purchase lands, houses, and tenements, so as to open proper avenues to the bridge, and to render it answerable to the grandeur and importance of the British nation, which has since been accordingly performed.

Westminster bridge provided for.

On the 14th of June, his majesty put an end to the session of parliament by a speech, which had the following conclusion, shewing, how much he had at heart the unanimity of his people.

King's speech at ending the session.

"Let all who profess themselves zealous asserters of the rights and privileges, laws and liberties of their country, and

nd of the proteſtant religion under the preſent eſtabliſh- Geo. II.
ment, unite in the defence of theſe ineſtimable bleſſings; 1739.
let the honour, proſperity, and ſafety of the kingdom become one common cauſe, and reconcile all civil diſcords and diviſions, that by your unanimity you may diſappoint the only hopes and vain expectations of our enemies."

CHAP. VII.

Preparations for war with Spain—Letters for repriſals granted—Captain Vernon put in commiſſion as admiral—His character—Spaniſh manifeſtos—War declared in England—End of the ſeſſion of parliament—Porto-Bello taken—Affairs of the continent—Meeting of parliament—Its proceedings—Marines voted—Marriage of the princeſs Mary with the prince of Heſſe—Embargo on ſhipping—End of the ſeſſion of parliament—Expedition of ſir John Norris—Character of lord Cathcart—French ſquadron ſails—Deſcription of Havannah—The operations in America referred to a council of war.

THE conferences between the commiſſaries of the two crowns ſtill continued, tho' without ſettling any thing definitively. But in May, they ordered their commiſſaries to break off all conferences with thoſe of Great Britain. At the ſame time, the king of Spain himſelf declared to Mr. Keene, that ſince the South-Sea company had refuſed to pay the 68,000 l. he thought himſelf at liberty to revoke the aſſiento contract, and to ſeize the company's effects to indemnify himſelf for that ſum. He likewiſe complained moſt bitterly of the continuance of the Britiſh ſquadron under admiral Haddock in the Mediterranean, where the admiral had received orders from his court not to be quite ſo paſſive as formerly. The marquis de Villarias, one of the Spaniſh miniſters, after this, had a long conference with Mr. Keene, and ſignified to him in plain terms, that his maſter looked upon the peace between Spain and Great Britain to be at an end. That there was no dependence upon the promiſes of the Britiſh court, which kept their ſquadrons cruizing upon the coaſts of Spain for no other purpoſe than to intercept the galleons that were then expected home. He next inſiſted ſtrongly upon the Spa-

War inavoidable thro' the inſolence of Spain.

Geo. II. 1739. niſh claim of ſearching Britiſh ſhips in the American ſeas; and concluded by intimating, that if that claim was not admitted on the part of Great Britain as the baſis of the future negotiations, there could be no occaſion for any farther conferences.

Conduct of Mr. Keene.

Mr. Keene looking upon this declaration as a prelude to a declaration of war, immediately informed his court of all that had paſſed, and put the Engliſh factories and merchants in Spain upon their guard againſt the worſt. No time was loſt in Great Britain in preparing inſtantly for a war. In the beginning of June fourteen men of war and three bomb-veſſels were put into commiſſion; ſecret orders were iſſued for a vigorous preſs, which was moſt effectually put in execution; and an embargo laid upon all the trading ſhips in the kingdom. Six months pay certain was by proclamation offered to ſeamen who ſhould voluntarily enter into his majeſty's ſervice; all Britiſh ſeamen in foreign ſervices were called home. Preparations equally vigorous were made for ſtrengthning the land ſervice: new levies every where went on, and ſeveral regiments were ordered over from Ireland to Great Britain; and his grace the duke of Newcaſtle wrote to the South-Sea company to inform them of the ſtate of affairs, and to provide accordingly.

Great preparation for war in England.

Farther injuſtice of Spain.

It ſoon appeared that this vigorous proceeding was agreeable to the ſenſe of the nation by the riſe of the ſtocks, which had been before upon the decline. The finances of Spain were, at this time, greatly out of order, ſo that their miniſtry were compelled to reduce the intereſt they were obliged to pay upon their public debt. This was a common cauſe to all the trading part of Europe, there having been no alternative propoſed for paying the principal in caſe the creditors would not agree to the reduction of the intereſt. This arbitrary ſtep occaſioned many bankrupcies, in France particularly, and was complained of by the miniſters of all the ſtates whoſe merchants had ſuffered by it; but without any effect.

Troops and ſeamen raiſed in England.

About the beginning of July the Engliſh marine was in excellent order, and 10,000 new levies that had been ordered were ſucceſsfully compleated, and added to other regiments. Admiral Haddock's ſquadron, which ſtill kept cruizing before Cadiz, was conſiderably reinforced; ſir John Norris hoiſted the union flag on board the Namure at Chatham, and ſir Chaloner Ogle was ordered to the Weſt-Indies to take upon him the command of the Britiſh ſhips there, while Mr. Horace Walpole embarked for Holland, to make a requiſition

quiſition of the troops ſtipulated by the States General to be ſent to Great Britain in caſe of a war.

The Britiſh miniſtry, by this time, had ſent to Mr. Keene his laſt inſtructions, which were, to declare that his Britannic majeſty inſiſted upon a full renunciation, on the part of Spain, of all claims of ſearching Britiſh ſhips, as the baſis of a future treaty, and that the honour of the Britiſh crown and nation would not ſuffer any farther negotiations, but upon that condition. He likewiſe demanded, in very peremptory terms, the immediate execution of all that had been ſtipulated on the part of Spain by the convention, and that the Britiſh rights to Georgia and Carolina ſhould be expreſsly acknowledged in the future treaty. He farther obſerved, that the failure of the crown of Spain to fulfil the terms of the convention, had given a new turn to the ſtate of affairs between the two courts, which intitled his Britannic majeſty to be more peremptory, and to riſe in his demands, eſpecially conſidering the vaſt expences which the Spaniſh breach of faith had obliged Great Britain to bear in her armaments both by ſea and land. Mr. Keene, as uſual, received a ſhuffling meſſage to the declaration; but upon freſh inſtructions from his court he renewed his applications to the Spaniſh miniſtry, and flatly told them, that his court had come to a reſolution of granting their ſubjects liberty to make reprizals on the Spaniards, and that both he and Mr. Caſtres, the other miniſter who was joined with him in the negotiation, had orders to leave Spain, if he had not immediately a ſatisfactory anſwer to his demands.

Mr. Keene's final inſtructions.

Anſwer of the Spaniards not ſatisfactory.

Though the Spaniſh miniſtry had all along flattered themſelves by the advices they received from Geraldino and their friends in England, that the Britiſh court never durſt in earneſt venture upon a rupture with them, and tho' they were then very ill provided for going to war, this declaration had no effect but to make them haſten their naval and military preparations. They were encouraged in this by the court of France, whoſe great object was the getting into their hands the aſſiento trade, and in caſe of a war with Spain, to carry on the Spaniſh trade with the Weſt-Indies in their bottoms. The Engliſh miniſters abroad, however, particularly the earl of Waldgrave, talked very roundly to the French miniſters on that head, and informed them, that Great Britain was very indifferent what part France ſhould take, as the naval force ſhe was obliged to keep on foot was able to cope with both nations; and that ſhe never would conſent that the French, under a maſk of neutrality, ſhould carry on the Spa-

Partiality of the French to the Spaniards.

Geo. II. 1739.

niſh trade. At the ſame time he demanded to know, in caſe of a rupture between Great Britain and Spain, what part his moſt Chriſtian majeſty was reſolved to take. By the anſwer his lordſhip received, it was very clear that the intentions of the French were as has been repreſented; and at the ſame time they made no ſecret that they were fitting out men of war at Toulon to join the Spaniſh ſquadron at Cadiz in caſe of a rupture, according to a treaty ſubſiſting between the two crowns.

The French bully the Dutch.

The Dutch had, or pretended to have, the ſame cauſe of complaint as England had againſt the Spaniſh depredations; and Mr. Walpole had been ſent over to the Hague in order to perſuade them to make theirs a common cauſe with that of Great Britain. He was not ſo fortunate as to ſucceed. The marquis de Fenelon, the French ambaſſador there, informed them, that his maſter deſiring nothing ſo much as to re-eſtabliſh peace in Europe, hoped that they would continue in their neutrality; and hinted at the ſame time, that ſhould they take part with Great Britain, they might ſoon expect to ſee 100,000 French troops in the heart of their country. Till this declaration was made, their High Mightineſſes had been pretty free in their language to the marquis de St. Giles, the Spaniſh ambaſſador, and had given him a preciſe account of all their loſſes by the Spaniſh depredations, with the value of the ſame. The marquis in return aſſured them, that he had orders from his court to loſe no time in entering upon a negotiation for ſettling all their claims, and making them immediate ſatisfaction. This promiſe, with the threatnings of France, but above all the hopes they had of profiting by a war, induced their High Mightineſſes to give very favourable returns to the inſtances of the two powers.

Conduct of the Britiſh miniſtry.

Notwithſtanding this diſcouragement, the Britiſh miniſtry acted with a ſpirit becoming their cauſe, and the wrongs the nation had ſuffered. On the 10th of July this year, orders were given by the council at Whitehall for general repriſals upon the Spaniards; and that the high court of admiralty, and other courts of admiralty within his majeſty's dominions, ſhould be empowered by commiſſion to judge of and condemn all ſhips, veſſels, and goods taken from the crown and ſubjects of Spain, by virtue of letters of marque and repriſals granted by the high court of admiralty of Great Britain; and that inſtructions to the ſame purpoſe ſhould be ſent to the Britiſh foreign governments and plantations.

Letters of marque granted for repriſals.

Public notice of this order being given by the lords of the admiralty, in a very few days great numbers of the trading part

part of the nation applied for and obtained letters of marque. The Britiſh conſuls at Malaga, Alicant, and other ports of Spain, having had previous notice, gave directions for the immediate departure of all the Britiſh ſhips in thoſe ports; and all meaſures being properly taken at home, an order was ſent by the king and council to the boards of treaſury and admiralty, for taking off the embargo upon ſhipping. Powerful fleets were fitted out, and every method purſued for beginning the war with deciſive advantages. Geo. II. 1739.

The gentlemen in the oppoſition were highly elated at this appearance of an immediate war, and conſidered it as a triumph which they had gained over the miniſter, though it is certain that he declared himſelf on all occaſions as eager for a war, when war became neceſſary, as the moſt forward amongſt them. It is true, the ſpirit of the nation, and the impatience of the trading part of it, had obliged him to agree to ſome meaſures which, in his private opinion, he thought were premature; ſuch as that of iſſuing letters of repriſals before his majeſty was ſure of being joined by the Dutch; and therefore he frankly declared, that as war with Spain was now in a manner proclaimed, he would do every thing on his part, as firſt lord of the treaſury and a privy counſellor, to render it ſucceſsful; but that, in the meaſures taken for proſecuting it, he would ſubmit to the will and direction of others. This declaration, which was honeſt, was improved by his enemies as an inſinuation that he was reſolved to cramp the operations of the war, in order to render their ſchemes abortive; and this falſehood was ſo ſucceſsfully propagated, that many weak people believed he had been bribed by the court of Spain. Behaviour of ſir Robert Walpole.

There was, however, at this time in his majeſty's council and confidence, a party who, though they had a perſonal attachment to the miniſter, thought that a great deal was due to the ſpirit of the people, and that, as a war was reſolved upon, it could not be carried on with too much vigor and alacrity on the part of Great Britain. Sir John Norris was the admiral chiefly truſted to for defending the coaſts of England, in caſe, as there was great probability, the Spaniards ſhould prevail with the French to attempt an invaſion. Sir Charles Wager, who was at the head of the admiralty, was an able officer, as well as a man of great virtue and integrity; but he had particular connections with the miniſter, though he often differed with him as to the buſineſs of the board of admiralty, and he had always expreſſed himſelf as being averſe to a war with Spain. His preſence beſides was Admiral Vernon put in commiſſion.

Geo. II. 1739. neceſſary at the head of his board, at a time when there was ſuch a proſpect of action, being reputed to underſtand the affairs of the navy better than any man in England; and he was beſides at this time a little too advanced in life, and too infirm, for ſervices of activity. As to the other admirals, neither the nation nor the miniſter had any opinion of their abilities for commanding in chief.

The party laſt mentioned therefore ſuggeſted to his majeſty, whether it might not be proper to employ a man of vigour and abilities as a ſeaman, to attack the Spaniards in America, where they were moſt vulnerable, and where the people of Great Britain chiefly expected they ſhould be humbled; and that captain Vernon ſhould be the man: nor indeed for abilities and reſolution as a ſeaman, could they have pitched upon a more proper perſon.

His character. He was the ſon of Mr. Vernon, principal ſecretary of ſtate in king William's time, a man of diſtinguiſhed worth and talents in buſineſs. From him, the admiral, with no illiberal education, had received early impreſſions of the power, the perfidy and ambition of the French court and nation; ſo that the fear or hatred of France, ſeemed to be the ruling paſſion of all his life ever after. This was the motive why, while he was in parliament, he was perpetually declaiming againſt the miniſter, in ſuch violent terms as ſometimes put him in danger of the Tower, only becauſe he thought his meaſures too favourable for France. Finding his declamation fruitleſs, he took leave of parliament, and was, at this time, living upon his eſtate near Ipſwich as a private country gentleman. As he never had any ſtation in the marine above the command of a ſhip of war, the government had had no opportunities of knowing any part of his character as a ſeaman, but that he had experience, courage, and intrepidity. Thoſe good qualities, however, were blemiſhed by ſome troubleſome and unamiable failings. He was haughty and imperious to all his inferiors; diſdainful and diſreſpectful to the board of his ſuperiors; peeviſh, refractory, and obſtreperous with thoſe who approached neareſt to him in an equality of command; and his averſion to the land-ſervice was as invincible as it was unreaſonable. He was ſo frequent and ſo digreſſive a ſpeaker in parliament, that after his laſt diſmiſſion from his command, he was not attended to, though he was far from being deficient in ſeveral parts of parliamentary duty; and had he not been always rambling after France, and railing at his ſuperiors in every ſpeech he made, he muſt have been deemed a tolerable ſpeaker.

Notwith-

Notwithſtanding all his defects, his majeſty could not have made a happier choice than he did on this occaſion. Vernon, beſides being poſſeſſed of inflexible integrity and affection for the proteſtant ſucceſſion, had ſome part of his judgment at ſtake; being heard to declare ſeveral times in the houſe of commons, while admiral Hoſier's ſhips were in the Weſt-Indies, that he would undertake, upon the penalty of his head, to take Porto-Bello with ſix ſhips only. The remembrance of this was deciſive in his favour; and his majeſty, who was thoroughly for vigorous meaſures, immediately agreed that he ſhould be the man to ſtrike the important blow in America. He was therefore unexpectedly ſent for, and being immediately made vice-admiral of the blue, he ſailed on the 20th of July with nine men of war and a ſloop, to take the command of all his majeſty's ſhips in America, while ſir John Norris lay with twenty-ſix ſhips of the line, and three fireſhips, in the channel. Geo. II. 1739.

Force of the Britiſh navy.

At this time, (ſo far was the government from being remiſs in providing for the future operations of the war,) Great Britain had in her pay 28,870 ſeamen, and 84 ſhips of war, which upon the whole carried 3996 guns, excluſive of fireſhips, and tranſports. But the undetermined ſtate the nation was in with regard to France, who was daily augmenting her marine, induced the board of admiralty to give orders for more ſhips to be put in commiſſion with all poſſible expedition, while the commiſſioners of the navy contracted with ſhip builders for building ten twenty-gun ſhips to cruize upon Spaniſh privateers, which were expected to appear upon the ſeas in great number.

In the Mediterranean, courts of vice-admiralty had actually been eſtabliſhed at Gibraltar and Portmahon; and admiral Haddock had now begun hoſtilities there, by taking ſeveral Spaniſh ſhips, and ſending them either to Portmahon or Liſbon.

This vigour of the Britiſh government, ſeemed to rouſe the court of Madrid from their lethargy, into which they had been thrown by their opinion of the diviſions of the Britiſh nation, and of the puſillanimity of its miniſtry. With a laudable frugality they retrenched all their extravagant penſions and ſalaries, and reduced their expences in all the departments of their government; and happily for them a moſt immenſe treaſure arrived ſafe from New Spain, without the Britiſh ſhips being able to intercept it. Soon after the publication of the order for repriſals in England was known in Spain,

Geo. II. 1739.

Spain, his Catholic majeſty ordered a manifeſto to be publiſhed in relation to the late convention, with his reaſons for not paying the 95,000 l.

Manifeſto from the court of Spain.

The manifeſto was calculated to impreſs all Europe with a notion that the madneſs of the people of England had plunged the miniſtry into this quarrel. "England, ſays his Catholic majeſty in the beginning of this manifeſto, diſquieted with domeſtic diviſions, has urged her complaints with ſuch obſtinacy, though perhaps conſcious how little they are founded on juſtice, that if our ſincere diſpoſition had not found more weight in the fore-mentioned conſiderations than in her inſtances, theſe diſputes might long ago have proceeded to an open rupture, not without powerful motives on our behalf." The manifeſto then proceeds to complain of the exorbitant prices which the Engliſh ſhips, ſeized by the Spaniards, had been rated at; of the refuſal of the South-Sea company to pay the demand of 68,000 l. made upon them by Geraldino; of admiral Haddock's continuing to cruize in the Mediterranean after the convention was ſigned, and when the Spaniards had diſarmed all their ſhips, and of that admiral's having orders to cruize between Cape St. Vincent and St. Mary, in order to ſurprize the aſſogue ſhips coming from New to Old Spain, and of his having already committed hoſtilities in conſequence of the orders of repriſals, which had been publiſhed at London in a ſtile injurious to the crown of his Catholic majeſty. Notice was likewiſe taken, that the Engliſh miniſtry, in conſequence of the convention, had ſent no orders to Carolina for the regulation of limits there.

Its contents,

Such was the ſubſtance of this famous manifeſto, which concluded with a general order for making repriſals upon the Britiſh ſubjects in Spain.

and of the reaſons for not paying the 95,000 l.

But his Catholic majeſty's reaſons for not paying the 95,000 l. ſtipulated by the convention, is a more laborious piece. It began with a general propoſition, that as the engagements entered into by the convention were reciprocally binding upon both parties, a failure in either party diſengaged the other from performance. It then proceeded to ſeven breaches of the convention, alledged to have been committed by the Engliſh. The firſt was with regard to the continuance of admiral Haddock's ſquadron in the Mediterranean, contrary to the intention of his Britannic majeſty, and even the orders that had been ſent to his miniſters, who had by the clamours of the oppoſition been obliged to countermand them. The ſecond contravention alledged, was with regard

regard to the limits of Florida and Carolina; and a letter from the duke of Newcaſtle of the 27th of March was appealed to, to prove that no care had been taken to keep the new plantations and fortreſſes there in ſtatu quo, till the limits could be ſettled by the convention; but inſtead of that, the Engliſh were increaſing their colonies, and adding to their fortifications, beſide reinforcing their ſquadron at Jamaica. The third contravention alledged was of a very ſerious nature, and related to the caſe of the 68,000l. demanded from the South-Sea company, which has been already fully explained. But his Catholic majeſty here ſays, that the declaration given by monſieur de la Quadra to Mr. Keene, was drawn up and delivered four days before the convention was ſigned. The fourth pretended contravention, regarded a demand made by the Engliſh plenipotentiaries to have it declared, that his Catholic majeſty had not a power to ſuſpend the aſſiento contract, though it was expreſsly declared in de la Quadra's proteſt that he had, on the validity of which depended the validity of the convention. Here a complaint was again made of the South Sea company's treatment of his Catholic majeſty, in eluding the payment of the 68,000l. which was ſaid to be the ballance of a ſettled account, and confounding it with a ſum not ſettled or limited. The fifth contravention was pretended to conſiſt in a direct application made to his Catholic majeſty for the reſtitution of an Engliſh ſhip taken by the Spaniards ſince the ſigning of the convention, by which all differences are to be referred to plenipotentiaries. The pretext of the ſixth contravention was, that though the convention ſtipulated that the plenipotentiaries ſhould receive their inſtructions within ſix months, it was eight months before the Engliſh received theirs; and his Catholic majeſty under the ſame head complained of the want of faith in the Engliſh miniſtry of his honour, after ordering the 95,000l. to be paid without enquiring into the value of the captures that might have been reſtored by his officers in the Weſt-Indies. Geo. II. 1739.

The ſeventh alledged contravention, was more important than all the reſt. It conſiſted in the Engliſh plenipotentiaries previouſly inſiſting upon a liberty of free navigation in all the American ſeas, and claiming it as a right by the law of nations, and by treaties, particularly by the 15th article of the treaty 1670. This, ſay the reaſons, is a direct infraction of the firſt article of the convention, wherein it is expreſsly ſtipulated, that the reſpective pretenſions of the two crowns ſhould be regulated and ſettled in the conferences according

to

Geo II. 1739. to treaties. The reaſons then own, that the right claimed by the Engliſh of not being ſearched upon the American ſeas, is a critical point, and deſerved to be explained diſtinctly and clearly. The ſame paper proceeds to contend, that the treaty of Utrecht in 1713, ſtipulated, that the navigation of the Engliſh in America, ſhould continue upon the ſame footing as in the reign of Charles II. (of Spain) when it was notorious that by the fundamental laws of Spain, all ſtrangers were excluded from the Spaniſh Weſt-Indies. A reference was then made to the ſtipulations between Spain and Holland in 1714, by which their High Mightineſſes promiſe to aſſiſt his Catholic majeſty in preſerving to his ſubjects the excluſive right to trade with the Spaniſh ſettlements in the Weſt-Indies; and ſome very ſevere things are ſaid with regard to the Engliſh, who, as they themſelves confeſs, carry on an illicite trade there, to the amount of ſeveral millions yearly, and to the great detriment of the crown of Spain. The reſt of this famous paper is either vague declamation, or tends to eſtabliſh in the crown of Spain a right to prohibit all navigation in the American ſeas that waſh their coaſts.

Obſervations on it. Though nothing could be weaker or worſe ſupported than all the argumentative part of thoſe reaſons, yet they made no ſmall impreſſion upon the powers of Europe, particularly upon the States-General, who never had claimed any ſuch power as England demanded, and that for an obvious reaſon; becauſe in the courſe of their navigation to and from their own colonies, they could have no pretext to navigate the ſeas that waſh the Spaniſh dominions in America, whereas the ſituation of the Engliſh ſettlements there is ſuch, that they are often and indiſpenſibly obliged to do it. The Spaniſh ambaſſador at the Hague was very induſtrious in publiſhing the above manifeſto and reaſons, and the Dutch ambaſſador Van Hoey, from Paris, was inceſſantly, at the inſtigation of cardinal Fleury, filling the heads of his maſters with the moſt terrible apprehenſions as to the claims and deſigns of the Engliſh, who he ſaid aſpired to the univerſal monarchy of the ocean.

French king offers his mediation. Nothing now but the form of a declaration was wanting to make the war general between Great Britain and Spain. Geraldino had orders to leave the court of England, as Mr. Keene and Mr. Caſtres had to leave that of Madrid. But neither Spain nor France being ſo forward as Great Britain in their preparations, his moſt Chriſtian majeſty moſt ſolemnly undertook the office of mediator, and invited the emperor and their High Mightineſſes to join him in that friendly

friendly office, and they profeſſed their readineſs to concur with him. Upon this monſieur de Buſſy, the French ambaſſador, who had left England ſome time before, was ſent over to make an offer of his moſt Chriſtian majeſty's mediation, which he accordingly did. Geo. II. 1739.

But the Britiſh miniſtry were but too well inſtructed in the connections that had been formed between Spain and France to be cajoled in that manner. He was anſwered, that things were now too far gone for an accommodation to take place; and that of all the powers of Europe, his moſt Chriſtian majeſty had the leaſt pretence to the office of a mediator, as his miniſters at the Hague and elſewhere had publicly declared, that in caſe of a war, France was obliged by treaty and by other tyes, to aſſiſt Spain both by ſea and land. Notwithſtanding this language of the Britiſh miniſtry at home, it is certain that Mr. Keene, before he left the Spaniſh court, acquainted it, that his Britannic majeſty, was diſpoſed to recall his letters of repriſal as ſoon as his Catholic majeſty ſhould be diſpoſed to do juſtice to the Britiſh crown and ſubjects; and farther, that his maſter was in that caſe willing to hearken to terms of accommodation, but without the intervention of any other power. Anſwer to his ambaſſador.

The Spaniards, who looked upon this declaration, if they ſhould accept of the terms, as meant to divide them from France, anſwered very loftily, "That the king of Spain was very far from conſidering things in the ſame light as the court of Great Britain ſeemed to do, not believing it had any right by treaties, either to make repriſals itſelf, or to authorize others to make them; that the equity of the conduct of the court of Spain was evident in every thing that had paſſed ſince the convention of January 14. That the Catholic king therefore could not help looking upon making repriſals as an act of hoſtility, and would on his ſide repulſe the inſults, which might be made on them; that he hoped, with the aſſiſtance of heaven and his allies, he ſhould be able to ſupport a good cauſe." Proceedings in Spain with regard to war.

The Spaniſh miniſters, all over Europe, held the ſame language, and the French ambaſſador at London, after making a freſh attack upon the Britiſh miniſtry to accept the mediation of his maſter, received a freſh denial; and in anſwer, to a kind of menace he threw out, he was told, that his moſt Chriſtian majeſty might act as he thought proper. It was by this time plain that Great Britain muſt ſtand ſingle in the war; for all that Mr. Walpole could obtain at the Hague was a vague profeſſion of their High Mightineſſes being Mr. Walpole returns from the Hague.

Geo. II. 1739. ing ready to cultivate the friendſhip of Great Britain, but at the ſame time hoping that a war might be prevented; upon which he returned to England.

Britiſh declaration of war. October 23. In the mean while, the Spaniſh manifeſto underwent a ſtrict examination in the council of Great Britain, who deigned to give it no other anſwer, but a formal declaration of war, penned in a maſterly manner, and proclaimed at London with all the uſual and requiſite formalities. As this declaration contained a full vindication of the meaſures his Britannic majeſty and his miniſters had entered into, the reader will therefore find it in the notes [a].

The

[a] His majeſty's declaration of war againſt the king of Spain.

George R.

Whereas many unjuſt ſeizures have been made, and depredations carried on, for ſeveral years, in the Weſt-Indies, by Spaniſh guarda coſta's, and other ſhips, acting under the commiſſion of the king of Spain, or his governors, contrary to the treaties ſubſiſting between us and the crown of Spain, and to the law of nations, to the great prejudice of the lawful trade, and commerce of our ſubjects; and great cruelties and barbarities have been exerciſed on the perſons of divers of our ſubjects, whoſe veſſels have been ſo ſeized; and the Britiſh colours have been inſulted in the moſt ignominious manner; and whereas we have cauſed frequent complaints to be made to the king of Spain of theſe violent, and unjuſt proceedings, but no ſatisfaction or redreſs has been given for the ſame, notwithſtanding the many promiſes made, and cedula's iſſued, ſigned by the ſaid king, or by his order, for that purpoſe; and whereas the evils above-mentioned have been principally occaſioned by an unwarrantable claim, and pretenſion, ſet up, on the part of Spain, that the guarda coſta's, and other ſhips, authorized by the king of Spain, may ſtop, detain, and ſearch the ſhips and veſſels of our ſubjects navigating in the American ſeas, contrary to the liberty of navigation, to which our ſubjects have not only an equal right with thoſe of the king of Spain, by the law of nations, but which is moreover expreſsly acknowledged and declared to belong to them by the moſt ſolemn treaties, and particularly by that concluded in the year 1670; and whereas the ſaid groundleſs claim and pretenſion, and the unjuſt practice of ſtopping, detaining, and ſearching ſhips and veſſels, navigating in the ſeas of America, is not only of the moſt dangerous and deſtructive conſequence to the lawful commerce of our ſubjects, but alſo tends to interrupt and obſtruct the free intercourſe and correſpondence between our dominions in Europe, and our colonies and plantations in America, and by means thereof, to deprive us, and our ſubjects, of the

The order for repriſals, and the declaration of war, were perfectly agreeable to the ſentiments of the miniſter, after he ſaw Geo. II. 1739.

Management of the government with regard to repriſals.

the benefit of thoſe colonies and plantations; a conſideration of the higheſt importance to us, and our kingdoms; and a practice, which muſt affect, in its conſequence, all other princes and ſtates of Europe, poſſeſſed of ſettlements in the Weſt-Indies, or whoſe ſubjects carry on any trade thither; and whereas beſides the notorious grounds of complaint above-mentioned, many other infractions have been made on the part of Spain, of the ſeveral treaties and conventions ſubſiſting between us and that crown; and particularly of that concluded in the year 1667, as well by the exorbitant duties and impoſitions laid upon the trade and commerce of our ſubjects, as by the breach of ancient and eſtabliſhed privileges, ſtipulated for them by the ſaid treaties; for the redreſs of which grievances, the ſtrongeſt inſtances have been, from time to time, made by our ſeveral miniſters reſiding in Spain, without any effect; and whereas a convention, for making reparation to our ſubjects for the loſſes ſuſtained by them, on account of the unjuſt ſeizures and depredations committed by the Spaniards in America, and in order to prevent for the future all the grievances and cauſes of complaint therein taken notice of, and to remove abſolutely, and for ever, every thing which might give occaſion thereto, was concluded between us, and the king of Spain, on the 14th day of January laſt, N. S. by which convention it was ſtipulated, That a certain ſum of money ſhould be paid at London, within a term therein ſpecified, as a balance admitted to be due, on the part of Spain, to the crown and ſubjects of Great Britain, which term expired on the 25th day of May laſt, and the payment of the ſaid ſum was not made, according to the ſtipulation for that purpoſe; by which means the convention above-mentioned was manifeſtly violated and broken by the king of Spain, and our ſubjects remained without any ſatisfaction or reparation for the many grievous loſſes ſuſtained by them; and the methods, agreed upon by the ſaid convention, in order to the obtaining future ſecurity for the trade and navigation of our ſubjects, are, contrary to good faith, fruſtrated and defeated: in conſequence of which, we found ourſelves obliged, for vindicating the honour of our crown, and for procuring reparation and ſatisfaction for our injured ſubjects, to order that general repriſals ſhould be granted againſt the ſaid king of Spain, his vaſſals and ſubjects, and their ſhips, goods, and effects: and whereas the court of Spain has been induced to colour the open violation of the convention aforeſaid, by reaſons and pretenſions, which are void of all foundation: and, at the ſame time, has not only publiſhed an order, ſigned by the ſaid king, for ſeizing the ſhips, goods, and effects belonging to us and our ſubjects, where-ever they ſhall be met with, but has cauſed ſeizures to be actually made of the

Geo. II. 1739. saw that the other members of government were determined upon the same. He even made use of a small piece of state policy,

the goods and effects of our subjects, residing in his dominions, and has also ordered our said subjects to depart out of the Spanish dominions, within a short limited time, contrary to the express stipulations of the treaties between the two crowns, even in case of a war actually declared: we have taken into our royal and most serious consideration these injuries, which have been offered to us and our subjects, and the manifest violation of the several treaties subsisting between the two crowns; all which have been, in many particulars, eluded, or evaded, by the unwarrantable behaviour of the court of Spain, and their officers, notwithstanding the repeated instances we have given of our desire to cultivate a good understanding with the king of Spain, and the essential proofs of our friendship and regard for him and his family, which we have demonstrated to all the world: and being fully satisfied, that the honour of our crown, the interest of our subjects, and that regard, which ought to be had to the most solemn treaties, call upon us to make use of the power, which God has given us, for vindicating our undoubted rights, and securing to our loving subjects the privileges of navigation and commerce to which they are justly entitled: we, therefore, relying on the help of Almighty God, who knows the uprightness of our intentions, have thought fit to declare, and do hereby declare war against the said king of Spain; and we will, in pursuance of such declaration, vigorously prosecute the said war, being assured of the ready concurrence and assistance of all our loving subjects in so just a cause, wherein the honour of our crown, the maintenance of our solemn treaties, and the trade and navigation of our subjects, (which are so essential to the welfare and prosperity of this nation, and which we are determined, at all times, with our utmost power to preserve and support) are so greatly concerned: and we do hereby will, and require, our generals and commanders of our forces, our commissioners for executing the office of high admiral of Great Britain, our lieutenants of our several counties, governors of our forts and garrisons, and all other officers, and soldiers under them, by sea and land, to do and execute all acts of hostility in the prosecution of this war against the king of Spain, his vassals, and subjects, and to oppose their attempts: and we do hereby command as well our own subjects, as advertise all other persons of what nation soever, not to transport, or carry any soldiers, arms, powder, ammunition, or other contraband goods, to any of the territories, lands, plantations, or countries of the said king of Spain; declaring, that whatsoever ship or vessel shall be met withal, transporting, or carrying any soldiers, arms, powder, ammunition, or other contraband goods, to any of the territories, lands, plantations, or countries of the said king

policy, that the order for repriſals might have its full effect. Geo. II.
For they were privately ſent to the Weſt Indies, and to 1739.
other ſea officers, three weeks before they were publiſhed at London; and to render the agents for Spain the more ſecure, he went to Norfolk on the 7th of July, which being unuſual when any meaſure of great importance was in agitation, rendered it highly improbable, even with the friends of the government, that the order would be iſſued till his return, which was not till the 25th of the ſame month.

As the Spaniſh miniſtry had conjectured, the object which the government of Great Britain had at this time, was the intercepting the Aſſogue ſhips. For though the public imagined that vice-admiral Vernon was ſailed for America, yet after ſtruggling with contrary winds for fourteen days, he went to the coaſts of Spain, where he cruiſed for ſome time, with nine men of war and a ſloop, as did ſir Chaloner Ogle, with three men of war. The eſcape of the Aſſogue ſhips into Old Spain, was owing to an advice-boat ſent from Old Spain, which met them, with orders to ſteer North about, and to get into the firſt Spaniſh port they could make in the bay of Biſcay, which was St. Andero, where they arrived ſafe. Notice of this coming to the Britiſh fleets, admiral Vernon ſent off three of his ſhips of war to reinforce admiral Haddock, and with the other ſix he ſailed, as did ſir Chaloner Ogle at the ſame time, with the other ſix for America. Aſſogue ſhips eſcape.

It is certain that thoſe diſpoſitions were very alarming both to the courts of France and Spain, and it is pretended with ſome ſhew of reaſon, that a French ſhip, with falſe intelligence, having purpoſely fallen in with admiral Haddock's ſquadron, was taken under Spaniſh colours. Being proved to be French, the ſhip was releaſed, but a packet of intelligence being found on board from the Spaniſh miniſtry, the ſame was ſent to England, and that it was ſo artfully contrived, as to put the Britiſh ſhips upon the wrong tract, by which the Aſſogue ſhips eſcaped. Admiral Haddock, however, ſtill kept cruiſing between Gibraltar and Cadiz, where he had picked up ſeveral ſmall prizes, in conſequence of the order for repriſals, which had been privately ſent to him, before they were publiſhed in London. At laſt, on the 23d By what means.

king of Spain, the ſame, being taken, ſhall be condemned as good and lawful prize. Given at our court at Kenſington the nineteenth day of October, 1739, in the thirteenth year of our reign.

GOD ſave the KING.

Geo. II. 1739. of September, he met with and took the firſt conſiderable prize that was made in this war. It was a Spaniſh ſhip, called the St. Joſeph, about 800 tons burthen, and the cargo eſtimated at about 120,000 l. This ſhip was bound from the Caraccas to Cadiz, and belonged to the Guipuſcoan company. Soon after, the ſame ſquadron took another rich Caracca ſhip.

Conduct of the French.

If the government of Spain was ſurprized, as it really was, at the vigour Great Britain now exerted after ſo long an inactivity, the people of England were equally aſtoniſhed at the ſpirit with which Spain conducted herſelf at the commencement of the war. She found means to engage the French court ſo thoroughly in her intereſts, that a war with France was already looked upon by the people of England to be unavoidable. The French marched a large body of troops towards Picardy, Britanny, and Normandy, and their naval armaments were haſtened with ſurprizing alacrity. Their miniſters, all over Europe, declared that his moſt Chriſtian majeſty could not ſee the commerce of Spain, in which all Europe, as well as France, had ſo great an intereſt, ruined by the Engliſh, without ſenſible concern; and all appearance of diſpoſitions was made to invade England; eſpecially after their mediation had been rejected at London. Perhaps the Britiſh miniſtry was too much alarmed at thoſe appearances, becauſe it obliged them to keep a large fleet to watch the motions of the French in the channel, by which the ſafety of the ſeas was too much neglected; eſpecially as admiral Haddock was employed in blocking up the Spaniſh fleet at Cadiz, or waiting to intercept the Spaniſh ſhips in their return from the Weſt-Indies. The Spaniards availed themſelves of thoſe circumſtances, and in a few weeks they covered the ſeas with their privateers.

Britiſh ſhips ſeized in the Spaniſh ports.

All the care of the Britiſh miniſtry to put their merchants and traders upon their guard againſt the approaching rupture, had not been ſufficient to prevent ſeveral of their ſhips from being ſeized in the Spaniſh ports, and ſeveral Engliſh merchantmen had, through ignorance of the war being declared, run into the enemy's harbours, where they were confiſcated; contrary to the 36th article of the treaty of 1667, which provides, in caſe of a rupture, a ſpace of ſix months for the ſubjects of either nation to retire with their merchandizes and effects, without their being moleſted or troubled in that time, or having their goods or perſons retained or embargoed.

Other captures of Engliſh ſhips.

The vaſt trade which England enjoyed at the beginning of this war, proved of the greateſt detriment to herſelf, and advan-

advantage to her enemies, as it preſented them with the more frequent opportunities of making captures at ſea, which they improved to the full. The French lent them both ſhips and ſeamen, who ſailed under Spaniſh colours, and their ſucceſs in privateering, at firſt, was ſuch, as raiſed a great flame amongſt the commercial part of the public againſt the Engliſh admiralty, as if all the loſſes they had met with, was owing to their neglect. Geo. II. 1739.

Great diſſatisfaction at the miniſtry.

This diſſatisfaction opened ſome probability of reviving the popular clamour which had been ſomewhat abated, even amongſt the moſt diſaffected, upon the proclamation of war againſt Spain. The remembrance of the exciſe ſcheme and of the convention was revived, and it was ſuggeſted, that they might have been fatal to the miniſter, had he not had a majority of placemen in parliament, and therefore it was neceſſary to obtain a bill for excluding all placemen and penſioners from ſitting there. The city of London was at this time enflamed almoſt to diſtraction againſt the miniſter, and it had this year for its lord mayor Micajah Perry. He was a Weſt-India merchant, underſtood that trade extremely well, ſpoke ſenſibly in parliament, and had diſtinguiſhed himſelf againſt the exciſe-ſcheme, and the convention. His perſeverance, however, in the oppoſition, was, in a great meaſure, owing to the good nature, if not, the magnanimity, of the miniſter; for Perry had been engaged in practices as a trader, which had brought him under the laſh of the government, to whom he owed a large arrear, which he was unable to diſcharge. Notwithſtanding this, popularity was ſo dear to him, that he had perſiſted hitherto in the oppoſition, and had been one of the leading men in all the meaſures the city of London had gone into againſt the miniſter. The board of treaſury, however, obliged the proper officers, about this time, to put him in mind of what he owed, and he became to be ſomewhat ſoftened in his oppoſition.

Caſe of Perry, lord mayor of London.

Inſtructions and thanks ordered to the city members.

On the firſt of October, at a court of huſtings at Guildhall, a motion was made, and carried, for returning thanks to the four repreſentatives of the city of London, for their behaviour in parliament, particularly for oppoſing the late convention, and at the ſame time a paper of inſtructions to them was read. Thoſe inſtructions contained the moſt bitter invectives againſt the miniſter and his meaſures; and required the members to make the paſſing a place and penſion-bill a previous ſtep to the paſſing of any money-bill whatſoever. The example of the city of London was followed by the cities of York and New Sarum, and other

Inſtructions to other members.

Geo. II. 1739.

great corporations all over England; though many of their members were known to have voted always on the ſide of the miniſter.

Nothing could be more unconſtitutional than this proceeding, becauſe it tended to deprive the repreſentatives of that very liberty, which their conſtituents ſeemed ſo earneſtly to contend for. But the city of London, not contented with this ſtep, reſolved to carry their animoſity againſt the miniſter to its utmoſt pitch. The common method of electing an alderman to be lord-mayor, for ſome years, had been for the liverymen to nominate the two ſenior aldermen under the chair, and to return their names to the court of aldermen, who were to chuſe one of them, which was always the oldeſt alderman of the two, for lord mayor. The ſenior alderman next the chair this year happened to be ſir George Champion, member of parliament for Ayleſbury. But he having voted for the convention in parliament, a reſolution was taken by the anti-miniſterial party to ſet him aſide from the mayoralty, and that the liverymen, who are the electors, ſhould return to the court of aldermen the names of two aldermen, his juniors in the office.

Caſe of ſir George Champion.

His conduct.

In order to execute this reſolution, clubs and meetings were held all over the city; the moſt infamous and the moſt improbable rumours of his having received money from the miniſter for his vote, were publiſhed and believed, though confuted by affidavits; and no pains were ſpared to paint Champion in the moſt odious colours. Champion, though far from being a weak man, had recourſe to the moſt unlikely method he could have fallen upon to defend himſelf; the preſs, which was then, in a manner, under the command of his enemies. He pleaded, that the oppoſition he met with was, becauſe he exerciſed his own reaſon as to the conduct he held in parliament, and that his enemies were endeavouring to ſet him aſide, only becauſe he acted the part of a free-born Engliſhman. At the ſame time he was uncautious enough to threaten them in a dark manner with a breach of privilege, in making his behaviour in parliament the pretext of his excluſion from the mayoralty.

Oppoſition to him.

This paper did Champion great diſſervice, as it produced a whole torrent of replies, in which his enemies contended, that the liverymen of London were as much entitled to a freedom of voting as he was; that their returning the two ſenior aldermen under the chair, was no more than a matter of cuſtom and conveniency, and that by the conſtitution of the city, they had a right to return any two aldermen they pleaſed,

pleaſed, provided they had ſerved the office of ſheriff, and were not otherwiſe legally incapacitated. Some efforts were made by ſir George Champion's friends to ſupport his nomination, but in vain: for on the 29th of September, being the day of the election, at one of the moſt numerous meetings of the liverymen ever known in Guild-Hall, the names of ſir John Salter and ſir Robert Godſchall, who were the two ſenior aldermen under ſir George Champion, were by a vaſt majority of the electors returned to the court of aldermen, very few hands being held up for ſir George Champion, who by virtue of his ſeniority was firſt propoſed to the liverymen. Notwithſtanding the great inequality that appeared, a poll was very unadviſedly demanded for ſir George Champion againſt ſir Robert Godſchall, which occaſioned the demand of another poll for ſir John Salter and ſir Robert Godſchall againſt ſir George Champion, which the ſheriffs granted; but within leſs than an hour ſir George declined carrying on the poll farther, and publiſhed a letter wherein he declared he did it in order to preſerve the peace of the city. Geo. II. 1739. He is put aſide from being lord mayor.

The enemies of the miniſter in the city were not contented with this triumph over his friends, but reſolved to publiſh the advantage which their majority gave them to the utmoſt. An act had paſſed in the 11th of George I. for the better regulating elections in the city of London, by which it was enacted, "That no act, order, or ordinance whatſoever, ſhall "be made, or paſſed in the common-council of the ſaid city, "without the aſſent of the lord mayor and aldermen preſent "at the ſaid common-council, or the major part of them." Here the reader is to obſerve, that, at this time, an equality, if not a majority, of the court of aldermen was in the intereſt of the court, by which the other party apprehended their ſchemes of oppoſition might be interrupted, perhaps defeated. Caſe of the negative vote in the court of aldermen.

This ſcheme certainly was plauſible, nor is it eaſy to account for the reaſons that could induce the legiſlature to eſtabliſh ſuch a negative, which, if abuſed, might defeat all the moſt public-ſpirited efforts of the body of the citizens. But in fact the court of aldermen had been very tender in exerciſing this power, till, after the convention was concluded, the common council voted a petition to be preſented to parliament, and another to his majeſty, upon the ſtate of the nation. The court of aldermen, with a great deal of reaſon, thought that motion to be diſreſpectful and needleſs, becauſe it was the proper buſineſs of parliament to enter upon that

Geo. II. 1739. enquiry; the majority therefore gave a negative to the motion, which provoked the friends of it to attempt a repeal of the negative power in the court of aldermen.

Motion and proceedings for ſetting it aſide.

Immediately after ſetting aſide ſir George Champion from being lord mayor, Mr. alderman Heathcote, one of the ſheriffs of London for that year, made a ſpeech to the hall, recommending it to the liverymen to conſider of the proper means of abridging this power in the court of aldermen, and enforced it with all the reaſoning the matter could admit of. His ſpeech was very favourably received by the liverymen, and the court was adjourned to the 2d of October, when ſir John Salter was declared lord mayor elect.

Behaviour of the lord mayor upon the ſame.

Upon the court meeting, a motion was made to deſire the lord mayor to call a common-council with all convenient ſpeed, to conſider of a moſt dutiful and loyal addreſs to his majeſty upon the preſent ſtate of the kingdom; upon which his lordſhip agreed to call the council on a day then appointed, but not without violent ſigns of reluctance, on account of the uneaſy ſituation of his own private affairs.

His lordſhip was then about to adjourn the court; but Mr. ſheriff Heathcote ſtopped him, by making a motion, that the liverymen ſhould agree to inſtruct their four members to uſe their moſt ſtrenuous endeavours to obtain from parliament a repeal of the negative clauſe in the act of the 11th of George I. and concluded with deſiring his lordſhip to put the queſtion to the hall by the common crier or the common ſergeant. This requeſt being ſeconded by a loud approbation from the hall, his lordſhip, in a ſpeech to the liverymen, complained of diſreſpect in a queſtion of ſo much importance being brought before the hall, without his being previouſly acquainted with the ſame, and deſiring to be excuſed from putting the queſtion then. A great majority in the hall, however, inſiſting upon the queſtion being then put, his lordſhip found himſelf obliged to make another ſpeech, which he delivered in ſo very pathetical a manner, that the beſt friends of the queſtion agreed to indulge him in a farther delay, which in a very handſome manner was agreed to, and recommended by Mr. ſheriff Heathcote.

The motion put off.

Profligacy of the common people.

But though the city of London appeared thus unanimous in oppoſing the court, they were at this time greatly diſturbed amongſt themſelves. Their elections for common-councilmen in ſeveral wards, were carried on with great heats and animoſities; ſeveral frauds and combinations were diſcovered on account of the magnificent manſion-houſe which they then intended to be built; and the irregularities that had happened

pened in diſpoſing of the city lands, meſſuages and tenements, were ſuch, that a motion was made for putting them all up at common auction, and ſelling them to the beſt bidder; but a negative was put upon that motion. Geo. II. 1739.

Diviſions amongſt the citizens of London.

While the inhabitants in the capital of England were thus intent upon political conſiderations, the lower claſſes of people, both there and all over the kingdom, continued to be as diſſolute as ever. The laws made againſt the exceſſive drinking of ſpirituous liquors, far from preventing that pernicious practice, ſeemed rather to increaſe it; and often by the practices of informers, the innocent either ſuffered, or the penalty fell ſo ſeverely upon the needy people, that they were entirely ruined. The evil, however, ſeemed to receive ſome ſmall abatement by the great number of idle, diſſolute perſons that were now preſſed into his majeſty's ſervice by ſea or land.

Account of the methodiſts.

As the common people, however, are apt to run into extremes, this year was diſtinguiſhed by the inſtitution of a ſet of fanatics under the name of methodiſts, of which one Whitefield, a young clergyman, was the founder. He ſeems to have formed his plan while he was at the univerſity, and it was not long before he obtained many proſelites; and then, as a proof of his ſincerity, he commenced miſſionary, and went over to Georgia, in order to preach the goſpel to the Indians. Upon his return, he found his fame had increaſed by his abſence; and ſtriking in with the common fanatical jargon and practices of enthuſiaſm, he ſoon found himſelf at the head of ſuch a number of diſciples, as might have been dangerous to the public repoſe, had they attempted to diſturb it. But the truth is, Mr. Whitefield's principles led him into none of thoſe wild ungovernable heats that generally poſſeſs the brains of enthuſiaſts. He was a zealous proteſtant, and a friend to the government; and his followers were exemplary in their ſubmiſſion to it. Being joined by other clergymen, he formed a kind of a ſyſtem of faith and diſcipline for his methodiſts of both ſexes. The eſtabliſhed clergy, inſtead of imitating the practice of former times, were far from perſecuting himſelf or his followers, and wiſely treated him at firſt with reſerve, and afterwards with ſilent contempt. This moderation, however, had not all the deſired effect; for it encouraged the founder of the new ſect ſometimes to encroach upon parochial churches, even againſt the will and conſent of the legal incumbents (as was more than once the caſe in St. Margaret's Weſtminſter) to the great danger of the peace of ſociety.

Geo. II. 1739.

America was now the great ſcene of the operations as well as the expectations of the Engliſh. The accounts that daily arrived in England of the rapaciouſneſs and cruelty of the Spaniards there towards the ſubjects of Great Britain, exaſperated the people of England beyond all meaſure. Not contented with taking the Engliſh ſhips in the bay of Honduras, they even deſtroyed them, and were guilty of ſome ſhocking murders upon the Britiſh commanders and owners. Before ever it was known that there would be a rupture between England and Spain, the Spaniards at St. Auguſtine offered by proclamation freedom to all white ſervants and negro or Indian ſlaves belonging to Carolina, Purriſburg or Georgia, who would come over to ſettle with them, and a piece of land for making plantations was allowed to each. They even carried their practices into barbarity, and attacked the houſe of a gentleman on the confines of Georgia, one captain M'Pherſon, killing ſeveral of his people, and it was with difficulty he and the reſt of his family eſcaped.

Proſecution of the war in America.

Thoſe and a great many other barbarities committed by the Spaniards upon the Britiſh ſubjects in America, were haſtening into open hoſtilities between the ſubjects of the two nations there, when the Shoreham man of war, after ſending the orders for repriſals to the governors of the Leward iſlands and of Barbadoes, landed with the ſame orders on the 5th of Auguſt at Jamaica. They were received and publiſhed there with infinite alacrity; and commodore Brown, who then commanded the ſhips of war on that ſtation, immediately put to ſea with five men of war, and making for the Havanna, he exchanged ſome ſhots with the forts there, by which the Spaniards all along the coaſt were alarmed, and the Engliſh thereby loſt many opportunities of making effectual repriſals upon the enemy. Brown, when he was upon his cruize, ſent the Sheerneſs man of war to Carthagena, to obſerve the ſituation of the Spaniſh fleet there; from whence the captain, who approached very near the mouth of the harbour under French colours, had the good fortune to carry off a boat full of Spaniards priſoners to Jamaica.

La Guiara attacked.

On the 29th of September following, admiral Vernon, with the ſhips under his command, touched at Antigua, where he heard that at La Guiara, a port and little town on the Caracca coaſt, three rich Spaniſh ſhips lay. Upon this he diſpatched captain Waterhouſe, with three men of war, to bring the ſhips off, with orders not to ſpare the town, if he met with reſiſtance from thence. Waterhouſe accordingly ſteered up cloſe to the forts of La Guiara, and perceiving ſeven-

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teen ſail of ſhips in the harbour, he begun the attack by a furious cannonading, which was returned with equal briſkneſs from the forts, by which his ſhips ſuffered ſo much, that he thought proper to deſiſt from the attack, after doing great damage to the forts and town. Geo. II. 1739.

This miſcarriage was fully recompenſed by the ſucceſſes of the Engliſh in other parts of America. Captain Maſters, in the Drake ſloop, upon the firſt publication of repriſals at Jamaica, ſunk a Spaniſh guarda coſta which attacked him, and ſoon after made a very valuable prize of a Spaniſh ſhip. Captain Charles Knowles, in the Diamond man of war, took two other Spaniſh ſhips, one of them a regiſter ſhip of great value. Captain Peter Warren, afterwards the noted admiral of that name, carried in ſeveral rich prizes into Charles Town, South Carolina; and the commanders of ſome New York privateers were equally fortunate. About the ſame time ſir Yelverton Peyton attacked and took without any loſs a Spaniſh man of war, bound from Old Spain to the Havanna, with money, cloaths, and ammunition for the garriſon there. Many privateers were now fitted out by the Britiſh ſubjects upon the continent of America, that were equal in force to ſhips of war; and one of them from New England, commanded by captain Dumereſque, actually took a Spaniſh ſhip of forty guns within ſight of the Canary Iſlands, richly laden, and carried her to New England. Captures made by the Engliſh.

A remarkable exploit at land, performed about this time by the captain of an Engliſh privateer named the Virginia Queen from Rhode Iſland, claims a place in this hiſtory, on account of the ſingularity of the event, and the reſolution of the conduct. The privateer carried between thirty and forty men, and the commander, captain Hall, being well acquainted with the coaſts of the Spaniſh iſland of Cuba, ſailed thither; and ordering the bulk of his men not to appear, he pretended to be a trading veſſel with a fine cargoe on board, which he was willing to diſpoſe of, and thereby he decoyed a magiſtrate and a prieſt from the town of Porta de la Plata to come on board his ſhip. He then procured, under plauſible pretences, from his new gueſts, a line of recommendation to the governor of the fort, and then confining his gueſts, he went aſhore, attended with no more than four of his men, but all of them well armed; and he himſelf took care to wrap the pendant of his veſſel round his waiſt. The governor ſuſpected nothing, his garriſon was unprepared; and the captain finding ready acceſs, as ſoon as he perceived himſelf to be alone with the governor, clapt a piſtol to his breaſt, telling him A Spaniſh fort taken by five Engliſhmen.

Geo. II. 1739. him he was a priſoner, and charging him on pain of death to make no noiſe, while his four men, whom he left without, ſecured the guard and the gate of the place. Hall then loſt no time, but hoiſting his pendant as the appointed ſignal, his ſhip's crew immediately landed, run up to the fort, obtained admittance, and loading the guns that were next the town, began to batter it moſt furiouſly, and in a few hours greateſt part of the place was laid in aſhes, and the Spaniards were entirely driven from it. Upon this the captain and part of his men took poſſeſſion of it and plundered it, nailed up its cannon, threw the gun-powder he found into a well, and retreated in excellent order, without the leaſt loſs, back to their ſhips, after being in poſſeſſion of the town and fort for about twelve hours. Beſides the booty which Hall made at this place, he took on his return home ſo many Spaniſh prizes, that the produce of them brought about 112 l. to the ſhare of every common ſailor.

Many other actions worthy to be recorded, but too tedious to be particularized here, were performed by the Engliſh in America; but it is now proper to proceed to the event of the great operation under admiral Vernon.

Porto-Bello taken by admiral Vernon. On the 5th of November admiral Vernon ſailed from Jamaica to Porto-Bello, with his majeſty's ſhip the Burford of 70 guns, commanded by captain Watſon; the Hampton-Court of 70 guns, commanded by captain Dent, under commodore Brown; the Princeſs Louiſa of 60 guns, commanded by captain Waterhouſe; the Worceſter of 60 guns, commanded by captain Perry Mayne; the Strafford of 60 guns, commanded by captain Trever; the Norwich of 50 guns, commanded by captain Herbert; and the Sheerneſs, which he diſpatched to cruize off Carthagena. It was the 21ſt of that month before the admiral could bring his ſhips up in a line of battle to attack the place, which lay at the bottom of a ſpacious bay, and was defended at the entrance of the habour by a caſtle, which from its ſtrength was called the Iron caſtle. From the ſituation of the place it was abſolutely neceſſary to maſter that caſtle, before they could proceed to the town under the fort. It was very ſtrong, had it been tollerably well defended. Commodore Brown in the Hampton-Court, captain Herbert in the Norwich, and captain Mayne in the Worceſter, were deſtined to the attack of it, while the admiral lay behind to obſerve the effect of their operation. Brown led the attack with great reſolution, and being well ſeconded by the other two ſhips, the admiral ſaw the Spaniards within the forts give way; upon which he gave the ſignal for the boats where

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the ſoldiers were, to land, and he himſelf coming up at the ſame time, by the fire of his ſmall arms drove the Spaniards from the lower batteries, which they chiefly depended upon for their defence; and the other ſhips not coming ſo near as [illegible]d, having diſmantled the upper works of the enemy, the landing of the ſoldiers was effectuated: and though no breach was made, the lower batteries being left unguarded, and the Spaniards retreating to the higher parts of the fortification, they were thrown into the uttermoſt conſternation. The Engliſh ſailors, without waiting for any regular capitulation, mounted upon one another's ſhoulders upon the lower battery, drew the ſoldiers after them, and ſtruck the Spaniſh colours; upon which the few who remained upon the upper battery, hung out a white flag, and ſurrendered at diſcretion. Geo. II. 1739.

The admiral's next attack was upon the Gloria caſtle, which lay at the bottom of the bay, and covered the town, and which he battered very ſucceſsfully with his lower tier of guns, and with very inconſiderable loſs. On the 22d the caſtle hung out a white flag, and ſent a flag of truce in a boat to the admiral, who drew up the terms upon which he was willing to grant a capitulation, and which the reader will find in the notes[a]. The Engliſh becoming thus maſters of the Porto-Bello capitulates. London Gazette.

[a] Articles of capitulation granted by Edward Vernon, eſq; vice-admiral of the Blue, and commander in chief of his majeſty's ſhips and veſſels in the Weſt-Indies, and commodore Brown, to don Franciſco Martines de Retez, governor of Porto-Bello, and don Franciſco de Abarea, commandant of the guarda coſta's at the ſame place, the 22d of November 1739, O. S.

I. That the garriſon be allowed to march out as deſired, upon condition that the king of Great Britain's troops be put into poſſeſſion of the Glory caſtle before four o'clock in the evening, and the garriſon to march out by ten o'clock to-morrow morning.

That the inhabitants may either remove or remain, under a promiſe of ſecurity for themſelves and their effects.

II. That the Spaniſh ſoldiers may have a guard if they think it neceſſary.

III. That they may carry off two cannons mounted, with ten charges of powder for each, and their match lighted.

IV. The gates of the Glory caſtle muſt abſolutely be in poſſeſſion of the king our maſter's troops by four o'clock, and the Spaniſh garriſon ſhall remain in all ſafety for their perſons and effects, till the appointed time for their marching out, and to carry with them the proviſions and ammunition neceſſary for their ſafety.

V. That the ſhips, with their apparel and arms, be abſolutely delivered up to the uſe of his Britannic

Geo. II. 1739. the towns and the forts, found two 20 gun ſhips and a ſnow in the harbour; and upon ſeeing the ſtrength of the place they had taken, they were aſtoniſhed at their own ſucceſs. The admiral took on board his ſhips forty pieces of braſs cannon, ten braſs field-pieces, four braſs mortars, and eighteen braſs petararoes; and rendered uſeleſs above eighty iron cannon. He then blew up the fortifications with their own powder, in which he employed captain Knowles, captain Boſcawen, commodore Brown, and captain Watſon; and it is remarkable they found more danger and difficulty in demoliſhing thoſe works, than in taking them. It was greatly to the admiral's honour, that he behaved to the Spaniards who fell into his hands with vaſt humanity, and was far from making any private advantage of his ſucceſs, giving his own ſhare to be divided amongſt the common ſoldiers and ſailors. His courage upon this occaſion was as remarkable as his humanity, for he expoſed himſelf equally with the meaneſt ſailor or ſoldier; and the Spaniards having no idea that a ſhip durſt venture into their harbour, when they ſaw them come within piſtol-ſhot of their walls, were ſtruck with an aſtoniſhment that was more ſerviceable to the Engliſh than any ſuperiority of number or force could have been. Upon the whole, the conqueſt of Porto-Bello was the more glorious, as the Spaniards had more men to defend the place than the Britiſh admiral could ſpare hands to attack it; he having no more than 240 land ſoldiers, which were furniſhed by the government of Jamaica from the independent companies of that iſland.

Conduct of the admiral and the Engliſh.

Before the news of this great ſucceſs againſt Porto-Bello had reached England, the gentlemen in the oppoſition had altered their plan of conduct: they ſaw the unconſtitutional

Britannic majeſty, but that all the officers, ſoldiers, and crew, ſhall have three days allowed them to retire with all their perſonal effects; only one officer being admitted on board each ſhip and veſſel, to take poſſeſſion for the king our maſter, and to ſee this article ſtrictly complied with.

VI. That provided the articles above-mentioned are ſtrictly complied with, and that poſſeſſion be given of the caſtle St. Jeronimo, in the ſame manner as is ſtipulated for the caſtle Gloria, then the clergy, the churches and town, ſhall be protected and preſerved in all their immunities and properties.

And that all priſoners already taken ſhall be ſet at liberty before our leaving the port.

Given under our hands on board his majeſty's ſhip Burford, in Porto-Bello harbour, this 22d day of November 1739, O. S.

E. VERNON.
CHA. BROWN.

ſeceſſion-

ſeceſſion they had made, was in fact diſagreeable to the public, nor was their own party at all unanimous in the meaſure itſelf; for ſome of the more zealous amongſt them punctually attended their duty in parliament, and had the thanks of their conſtituents for their attendance. The ſeceders therefore took advantage of the declaration of war being publiſhed to declare, that, as the difficulties which had hindered their attendance in parliament were now removed by that declaration, they were reſolved to reſume their attendance the approaching ſeſſion, which happened to begin on the 15th of November this year. Geo. II. 1739. The ſeceders return to parliament.

His majeſty, in his ſpeech at the opening of the ſeſſion, acquainted the two houſes, that he had ordered a body of marines to be raiſed, and complained of the public heats and animoſities which, he ſaid, he was afraid had been one of the chief encouragements to the court of Spain to hold ſuch a conduct towards Great Britain as to make it neceſſary to have recourſe to arms; "and, continued he, the unhappy diviſions amongſt my ſubjects, are the only hopes of the enemies to my government." At the ſame time, he acquainted them, that he had called them together to take their advice at that critical and important conjuncture. His majeſty's ſpeech at the opening of the ſeſſion.

Upon the return of the lords to their houſe, lord Hinton made a motion for the addreſs; but the miniſtry was blamed by lord Carteret for inſerting into his majeſty's ſpeech any mention of heats and animoſities. They were defended by the duke of Newcaſtle, who entered upon all the ſteps of their conduct, and ſhowed that it was irreproachable. They were on the other hand impeached with great acrimony by other lords, particularly by the duke of Argyle, who was now at open variance with the miniſtry, and by the earl of Scarborough. The addreſs, however, as propoſed by lord Hinton, was agreed to without diviſion. In the houſe of commons, a like loyal addreſs was moved for by Mr. Henry Archer, which was oppoſed by Mr. Pulteny, who was at great pains to vindicate the ſtep of the ſeceſſion taken in the laſt ſeſſion of parliament, and which he ſaid was fully juſtified by the declaration of war, which was no other than a tranſcript of the arguments that had been urged both in ſpeeches and writing by the gentlemen in the oppoſition. He was anſwered by ſir Robert Walpole, and vindicated by ſir John Barnard, who had always attended his duty in the houſe, and who complained of the little care that had been taken ſince the commencement of hoſtilities, to protect the traders of Great Britain, who had been much greater ſufferers by captures Debates upon the ſame.

than

Geo. II. 1739. than the Spaniards had been. Sir Charles Wager, as being at the head of the admiralty, gave a full and a ſatisfactory anſwer to this obſervation. "As to our being greater ſufferers, ſaid he, by captures than the Spaniards have been, that, ſir, I believe is very true, and there is ſufficient, perhaps invincible, reaſon for it, which is, that we have a great deal more to loſe than they. The ſea is covered with our ſhips, and the extent of our trade gives the Spaniards the advantages of very frequent captures. They have but very little foreign commerce in Europe, and the little they have is carried on in other bottoms than thoſe belonging to themſelves; ſo that the flag of other nations protects their property." Sir Charles then proceeded to ſhew, that the war in all other reſpects had been duly attended, and that the government, at that time, had no fewer than 34 ſhips of war employed in its ſervice in the Weſt-Indies alone; a greater number than had ever before been employed there at one time.

Sir Charles Wager.

Sir Robert Walpole. During this debate ſir Robert Walpole was pretty ſevere upon the late receſſion, which he treated with a good deal of contempt as well as indignation; and he obſerved it was owing to it, that things had proceeded with ſo much unanimity towards the cloſe of the laſt ſeſſion; and that more laws had paſt at that time for the benefit of the people, than ever were known to paſs in ſo ſhort a time. At laſt, upon the queſtion being put, the addreſs, as moved for, was carried without any diviſion.

The frankneſs with which the miniſter had agreed to the war with Spain, and to the conducting it in the moſt effectual manner, diſtreſſed the oppoſition, by taking from them their moſt popular topics of declamation. They reſolved, however, to ſupply that loſs with motions which they thought would be diſagreeable to him. Accordingly, November the 21ſt, ſir William Wyndham, in a ſpeech which had all the air of an impeachment of the conduct of the adminiſtration, moved, "That an humble addreſs be preſented to his majeſty, as a dutiful return to his gracious deſire of the advice of his parliament, at this critical and important conjuncture, and as a further teſtimony of our firm reſolution vigorouſly to ſupport his majeſty in the proſecution of the war againſt Spain, humbly to beſeech his majeſty never to admit of any treaty or negotiation for a peace with that crown, unleſs the acknowledgment of our natural and indubitable right to navigate in the American ſeas, to and from any part of his majeſty's dominions, without being ſeized, ſearched, viſited

Motion for an addreſs,

or

or ſtopped, under any pretence whatſoever, ſhall have been first obtained as a preliminary thereto." Geo. II. 1739.

It was generally thought, from the nature of this motion as well as the manner in which it was introduced, that it would have been rejected, and it undoubtedly was introduced with that intention: but ſo far from that, the miniſter was amongſt the firſt who agreed to it, after apologizing for his own conduct and that of his friends; and the motion paſt without a contradictory voice. The earl of Middleſex was then ſent to the houſe of lords to deſire a conference and their concurrence with the motion; both which, after the neceſſary forms were gone through, were readily obtained. It was accordingly preſented by both houſes on the 23d of November, and it drew from his majeſty the following anſwer. agreed to.

"My lords and gentlemen,

"I thank you for this dutiful addreſs, which is ſo agreeable to former reſolutions of both houſes of parliament. Your unanimous and vigorous ſupport for carrying on the war, will be the beſt means for procuring ſafe and honourable terms of peace; and you may rely on my utmoſt care and endeavour to obtain effectual ſecurity for the juſt rights of navigation and commerce belonging to my ſubjects." His majeſty's anſwer.

Though this was a proper anſwer, and ſuch as became a king to give, yet it opened the mouth of oppoſition, as not being ſufficiently explicite as to the purpoſe of the addreſs. Their true intention was to endeavour to ſhut out all terms of negotiation, but, as has appeared by the event, ſuch as they were ſure the enemy never would agree to; and that this might be done the more effectually, Mr. Pulteny renewed his motion for the bill, which had miſcarried before, "for the more effectual ſecuring and encouraging the trade of his majeſty's Britiſh ſubjects to America, and for the encouragement of ſeamen to enter into his majeſty's ſervice." This motion, after ſome faint oppoſition in point of decency, was agreed to: the bill was brought in and paſſed both houſes; and a proclamation in conſequence of it was iſſued to let the ſubjects know, that his majeſty would grant them ſeparate or united charters or commiſſions for the more effectually enabling them to attack or deſtroy the ſhips, goods, factories and ſettlements of the Spaniards, and to ſecure, to them and their heirs, the full and undoubted right, property, and title to what they ſhould take, or cauſe to be taken, from the enemy. Bill for encouraging trade to America. It paſſes. Proclamation upon it.

Amongſt

Geo. II. 1739.

Amongſt the other objections to the management of the war, one was, that admiral Vernon had been ſent out of Britain without any land-troops along with him. This omiſſion, if it was one, was occaſioned by the threatening ſituation of affairs when the admiral ſailed, which did not admit of the government ſparing from the defence of the nation, ſuch a number of their regular troops, as might be ſufficient for doing any conſiderable ſervice. To remedy this inconveniency, and to be enabled to ſtrike ſome important blow in America, the government ordered ſix regiments of marines to be raiſed, the command of which was given to the colonels Wolfe, Robinſon, Lowther, Wynyard, Douglaſs, and Moreton. The regiments were to conſiſt in the whole of 4890 men, at the expence of 118,214 pounds to the public. Upon this eſtimate being laid before the houſe, lord Polwarth moved for an addreſs, "recommending to his majeſty frugality in raiſing the marines, and that there might be as many private men and as few officers in each regiment, as the nature of the ſervice would admit of, and that draughts from the regiments of foot, as being the moſt frugal, as well as the moſt expeditious, manner of raiſing the marines, might be made, in tender compaſſion to his people, already burthened with many heavy and grievous taxes; and promiſing, that his majeſty ſhould be enabled to replace the men ſo draughted, when there ſhould be occaſion."

Marines propoſed to be raiſed.

Eſtimates.

Motion for raiſing marines,

Though this motion had a great air of plauſibility, yet the circumſtances of the nation, through the backwardneſs of the Dutch, and the uncertain diſpoſitions of the French, were thought to be ſuch, as would not ſuffer any diminution of the regulars, for the defence of the kingdom; and the motion, therefore, after a long and ſharp debate, was rejected, by a majority of 177 againſt 95. This ill ſucceſs did not diſcourage the gentlemen in the oppoſition from renewing their attacks upon the miniſter, by a great variety of other motions for papers relating to the Spaniſh depredations, moſt of which, as tending only to embroil matters, were rejected by a great majority.

rejected on a diviſion.

In one particular the adminiſtration was obliged to lord Polwarth; for, in fact, the eſtabliſhment of marines in the reign of queen Anne in the year 1704, had been ſo far forgot, that when it was moved to be laid before the houſe, ſir William Yonge and ſir Robert Walpole deſpaired of finding it, as believing it to be loſt in a fire, which happened amongſt the papers of Mr. Blathwaite, who was

then ſecretary at war. The noble lord, however, ſet them to rights, and the eſtabliſhment was found in the office of admiralty, ſigned by his royal highneſs prince George of Denmark, and this afterwards proved to be of great ſervice in the new eſtabliſhment of marines. Geo. II. 1739-40.

On the 10th of December, a very extraordinary petition was preſented by the court of directors, for the governors and company of merchants of Great Britain trading to the South ſeas and other parts of America; this petition was brought againſt the bill for the more effectual ſecuring and encouraging the trade of his majeſty's Britiſh ſubjects to America, as being inconſiſtent with the excluſive rights and privileges of that company; but as in itſelf the petition was very unpopular, it had no weight. Petition from the South-ſea company.

On the 12th of February, after all the eſtimates for the current ſervice of the year had been ordered in, ſir Robert Walpole preſented to the houſe the following meſſage, ſigned by his majeſty.

"George R.

"His majeſty, in further proſecution of the juſt and neceſſary war, in which he is engaged, having under his conſideration certain meaſures, which will occaſion ſome extraordinary expences, not comprehended in the eſtimates laid before the houſe; hopes, from the known zeal of his faithful commons, that he ſhall be enabled to carry on the ſame in the moſt effectual manner." Meſſage from the crown.

This meſſage, without a contradictory voice, was referred to the committee of ſupply, which, upon the 14th of February, reſolved to grant his majeſty 200,000 l. to account, for carrying on the war; and about 9,500 l. for ſervices that year, not provided for by parliament, which was agreed to by the houſe. A million was likewiſe granted out of the ſinking-fund to his majeſty, for the ſervice of the year 1740; and about 200,000 l. for the ordinary of the navy. During the courſe of thoſe grants, the gentlemen in the oppoſition charged the miniſtry with puzzling the public accounts, by pretending, that ſometimes the funds granted by parliament were not ſufficient for defraying the charge of his majeſty's revenue; and therefore, that they were obliged to have recourſe to other funds, which occaſioned the deficiencies ſo much complained of. A motion was therefore made, "That to apply towards defraying the ordinary charge of his majeſty's revenue, or to any head contained in the ordinary eſtimate thereof, any ſum of public money, exceeding the ſum granted by parliament for that purpoſe, is a miſapplication, and Supplies granted. Motion upon them rejected.

Geo. II. 1739-40. ought to be prevented." But this motion was carried in the negative, as were a great number of other teizing motions for papers, which were almoſt every day renewed, and which it is uſeleſs to repeat here, ſometimes upon a diviſion, and ſometimes without any.

Journals of the houſe of commons. January 28, 1740.

During thoſe conteſts, the government felt ſenſible inconveniencies from their inability to man their ſhips of war. According to an account given in laſt year, upon a medium, no more than twenty one thouſand five hundred and ſixteen ſeamen had been muſtered on board the royal navy, from the 31ſt of December, 1738, to the 31ſt of December, 1739. The public clamour at the ſame time, of the great number of captures made by the Spaniards, hourly increaſing, produced many very warm reflections againſt the lords of the admiralty, or which was the ſame thing, the miniſter, under whoſe controul they were always ſuppoſed to act. The method of preſſing, to which the government was ſometimes reduced, ſerved only to increaſe the clamour of the merchants of London, who were perpetually plying both houſes of parliament with complaints of their trade being neglected. The matter was therefore referred to a committee of the houſe of commons, who found invincible obſtacles in their endeavours to remedy the inconveniency any other way, than by eſtabliſhing a general regiſter of all ſeamen, watermen, fiſhermen, lightermen, keelmen, bargemen, and ſeafaring men, capable of ſervice at ſea, throughout his majeſty's dominions. A bill for this effect was accordingly preſented to the houſe on the 5th of February, by ſir Charles Wager, and after being read the firſt time, it was ordered to be printed. But on the 19th of February, when it was read the ſecond time, it was regarded with a kind of a ſilent horror, as being no better than a tranſcript of the French ordinance for the ſame purpoſe, and directly tending to enſlave the moſt uſeful body of men in the kingdom. This created ſuch diſlike to it, that the miniſter did not chuſe to ſupport the bill againſt the many prepared ſpeeches which were made againſt it. Sir Charles Wager and ſir John Norris, who were concerned in preparing the bill, very candidly admitted the charge of its being a French meaſure, and therefore diſagreeable to them; but that it was the beſt expedient that they could hit upon, and perhaps the only one that could be deviſed, with any probability of ſucceſs. They complained at the ſame time, of the treatment they had met with, as if they had attempted to palm a French meaſure upon the houſe, after their having, very early in the ſeſſion,

Bill for a regiſter of ſeamen,

without

without any oppoſition, given leave to bring in the very bill that was before them, and with the very ſame title. Upon the whole, therefore, the miniſter was one of the firſt who ſuggeſted that it might be proper to drop the bill, which was accordingly done, and a ſtop was thereby put to the farther effuſion of declamation and abuſe againſt the government. A motion was then made for the houſe to reſolve itſelf into a committee the Monday following, to conſider of the heads of a bill, for the further and better encouragement of ſeamen to enter into his majeſty's ſervice; but this reſolution, however well intended, never produced the deſired effect, though it ſeemed to be agreed upon by all parties, that a regiſter was abſolutely neceſſary; and the firſt reſolution which the committee came to, March the 13th, was, that a voluntary regiſter of ſeamen would be of great utility to the kingdom. Geo. II. 1739-40. dropt.

The uncertain ſituation, which Great Britain had been ſome time in, with regard to a war with France, had determined his majeſty to ſtrengthen the proteſtant intereſt in Germany; and on the 6th of March, he acquainted the parliament, that having received propoſals for a marriage between the princeſs Mary and prince Frederick of Heſſe, ſon of prince William, landgrave of Heſſe, brother to the king of Sweden, he had been pleaſed favourably to accept and agree to the ſame; and that as he made no doubt, but that this alliance with ſo conſiderable a proteſtant family, would be to the general ſatisfaction; he therefore promiſed himſelf the concurrence of parliament, in enabling him to give ſuch a portion to his daughter, as may be ſuitable to the honour and dignity of his crown and family. Meſſage from his majeſty concerning the marriage of the princeſs Mary with the prince of Heſſe.

Upon receiving this meſſage, the commons, after voting an addreſs of thanks to his majeſty, voted forty thouſand pounds to be granted for the marriage-portion, and a bill was unanimouſly ordered in and carried through for that purpoſe. Her portion voted.

The moderation of the miniſter, in ſuffering every motion that had the leaſt appearance of public utility to paſs, was conſtrued by his enemies into his fear of their growing number, which indeed of late was increaſed. They obſerved, however, that many of their friends were abſent from the houſe, and they reſolved to muſter up their whole force once more, to try their ſtrength in favour of the place bill. Accordingly, on the 18th of December, a motion was made, for a call of the houſe. This motion was treated by the friends of the miniſter with ſome degree of ridicule, upon Motion for a call,

Geo. II. 1739 40. reflecting on the ſeceſſion of laſt ſeſſion: and they obſerved, that all who were concerned in that unconſtitutional meaſure, had been very favourably dealt with, in being ſuffered to return to the houſe, and in not being expelled for ever. The other party, however, inſiſting upon their motion, a diviſion followed, and it was rejected by a majority of 136 againſt 61. This great diſparity of numbers did not diſcourage the party; for the motion for the place-bill was again renewed and ſupported with the ſame arguments as uſual. This bill, however, admitted of a much greater number of exceptions, (no leſs than 150) of gentlemen, who had places under the government, and were allowed to ſit in the houſe of commons. This great number of exceptions ſeemed to have had a very powerful effect upon the houſe; for, after a very long debate, in which all the former arguments were retailed, it was rejected by a majority of no more than 222 againſt 206. After this, the houſe applied more vigorouſly than ever, to granting the ſupplies; four ſhillings upon the land-tax was granted for the ſervice of the current year, and the whole expence of the war during that period, amounted to about 4,000000 ſterling.

rejected.

Journals of the houſe of commons. Dec. 18.

Motion for a place-bill,

likewiſe rejected.

Money granted.

In the houſe of peers, very little material paſſed of any great importance, till his majeſty had ſent his meſſage of the 12th of February, to the houſe of commons for a ſupply, without taking any notice of the lords. This was highly reſented by ſome peers, as being unprecedented and unconſtitutional. The houſe of lords, it was ſaid, never had given up their right to grant money, as well as to adviſe upon meaſures; and ſevere obſervations were thrown out, as if the miniſter conſidered the houſe, where he himſelf ſat, as the only houſe of parliament, becauſe they had appropriated to themſelves the right of granting money; and a queſtion was moved, "that the ſending a meſſage, ſigned by the king, to the houſe of commons, for a ſupply, and not ſending the like to the houſe of lords, is derogatory to the conſtant uſage of parliament, and a high infringement of the privileges of the houſe of lords." The matter did not admit of much debate, for it was owing in a great meaſure to overſight, but was not thought of conſequence enough to occaſion any difference between the two houſes, at a time when national unanimity was neceſſary. The motion was therefore dropt upon the previous queſtion, which was, whether it ſhould be put or not, being carried in the negative, by a majority of 68 againſt 38.

Motion in the houſe of peers,

dropt.

The

The court of Spain had by this time thought proper to declare war in form againſt Great Britain; and great numbers of Britiſh ſhips were carried as prizes into the Spaniſh harbours, particularly that of St. Sebaſtian. This produced a motion in the houſe of commons, "That the commiſſioners for executing the office of lord high admiral of Great Britain, do lay before the houſe a liſt of ſuch of his majeſty's ſhips of war, as have been employed as cruizers, for the protection of the trade of the kingdom on this ſide Cape Finiſterre, ſince the 10th of July laſt, diſtinguiſhing the time each ſhip was ordered to remain, and the time ſuch ſhip did actually remain on ſuch cruize, together with the reaſons of her returning to any port of this kingdom." But as this motion tended to diſcover to the public, and conſequently to the enemy, the number of ſhips actually upon duty in thoſe parts, it was thought of ſo dangerous a nature, that it was rejected, by a majority of 145 againſt 97. The throwing out this motion was greatly exclaimed againſt; but next day, the miniſtry agreed to addreſs his majeſty, "to give directions, that over and above the ſhips of war employed againſt the enemy, ſuch a ſufficient number of his ſhips may be appointed to cruize in proper ſtations, for ſecuring and protecting the trade of his ſubjects, as ſhall be conſiſtent with the defence and protection of his majeſty's dominions, and the ſafe convoying the trading ſhips of the nation to and from foreign parts."

Geo. II. 1739-40.

Motion about ſhips,

rejected.

Addreſs on that head.

The public was extremely ſurprized at the miniſtry ſuffering this motion to paſs, as it carried an oblique reflection upon themſelves. But the truth was, that about this time, both the French and the Dutch, under pretext of their neutrality, had commenced carriers to the Spaniards, and upon their being ſtopt and viſited by the Britiſh ſhips of war, had entered ſtrong complaints at London; ſuch practices, they ſaid, not being warranted by the laws of nations or by treaties. The court of England in anſwer, told them, that their complaints ſhould be examined; but choſe to leave it to the parliament, to expreſs the ſenſe of the public, in a matter that ſo nearly touched the national intereſt. When the above addreſs was preſented to his majeſty, he returned to it the following remarkable anſwer. "All poſſible care has been taken in carrying on the war againſt Spain, in the moſt proper and effectual manner, and at the ſame time, for protecting the trade of my ſubjects; and you may be aſſured, that the ſame care ſhall be continued." In conſequence of this addreſs, however, the building of a number of 20 gun

Reaſon for the ſame.

Geo. II. 1739-40.

ſhips, to cruize upon the enemy's privateers, was haſtened, and ſix ſhips of war and ſtoreſhips were ſent to reinforce admiral Haddock in the Mediterranean, where he durſt not venture to divide his force, it being every day expected, that a French ſquadron would join the Spaniſh fleet, which was a main cauſe why the Engliſh trade there ſuffered ſo much in the beginning of the war.

Admiral Haddock reinforced.

Number of ſeamen.

The number of ſeamen employed on board the royal navy in the beginning of the year 1740, amounted (ſuppoſing each ſhip to have its complement) to about 34,562, a greater number than it was thought, by ſome of the leading merchants in the houſe of commons, Great Britain could furniſh, conſidering the great demand there was for ſeamen for trading ſhips. But a public calamity, perhaps, in a great meaſure contributed to the public ſervice in this reſpect. For the ſeverity of the ſeaſon towards the cloſe of the year 1739, and in the beginning of 1740, was as great as ever had been known in England. The Thames was ſo thoroughly frozen over, that it was as much crowded with ſhops and carriages, as the ſtreets. The extremity of the cold prevented the coaleries from being worked as uſual, nor could the ſhips bring their coals to London, on account of the froſt; ſo that coals were at a moſt exceſſive price. Fowls and fiſhes were found frozen to death, and the rivers all over Great Britain, and through moſt parts of Europe, were frozen like the Thames. The ſtreets of London were rendered almoſt impaſſable, and the moſt ſhocking accidents upon them happened hourly. An almoſt total ceſſation of manufactures enſued, nor could the moſt induſtrious labourer earn his bread. The ſhipping between London-bridge and the river Medway were damaged, it was computed, to the amount of 100,000 pounds. The ſnow that had fallen when the froſt ſet in, added to the public diſaſters; and many poor people, both within and without doors, periſhed through cold and hunger.

Severe froſt deſcribed.

Great charities given.

But fortunately for the ſufferers, humanity kept equal pace with the rigour of the ſeaſon; and the hearts of the Engliſh nation ſeemed to diſſolve, in proportion as the elements were frozen up. Pity for the poor became now the reigning mode of life amongſt the great, the happy, and the rich. The munificence of his majeſty and the royal family ſet the example to the nobility, and theſe were followed by all ranks of life, who had the means of relieving the diſtreſſes of their fellow creatures. Societies, for the more equal diſtribution of private charities, were formed, and

and ſome of the greateſt of the nobility were not aſhamed to become, not only ſtewards, but inſpectors, for the poor. Geo. II. 1739-40.

Some advantages, as has been before obſerved, reſulted from all this miſery, which laſted till the end of February, and ended in ſuch a ſcene of fragments of ice and ſnow floating down the Thames, as could not be equalled by the boldeſt imagination in painting or poetry. Beſides manning the navy, the army, which, with the marines included, now conſiſted of 34,000 men in Great Britain, had its numbers quickly compleated. The hardſhips the common people had lately ſuffered, rendered them more induſtrious and more humble, and the charities of the great became more public, and more permanent.

This ſeaſon of calamity was quickly ſucceeded by one of feſtivity; for, upon the 13th of March, captain Renton waited upon his majeſty at St. James's, with the authentic account of admiral Vernon's ſucceſs at Porto-bello. The captain was by his majeſty nobly rewarded for his intelligence, and the miniſtry omitted no demonſtrations, that could teſtify their ſincere joy on receiving the news. As ſoon as it was publiſhed in the Gazette, the houſe of peers ſent to the houſe of commons an addreſs of congratulation for their concurrence, which being filled up accordingly and amended, ran as follows.

Rejoicings upon the news arriving of Porto-bello being taken.

Addreſs of both houſes on the ſame.

"Moſt gracious ſovereign; We, your majeſty's moſt dutiful and loyal ſubjects, the lords ſpiritual and temporal, and commons in parliament aſſembled, do congratulate your majeſty on the glorious ſucceſs of your majeſty's arms in the Weſt-Indies, under the command of vice-admiral Vernon, by entering the port, and taking the town of Porto-bello, and demoliſhing and levelling all the forts and caſtles belonging thereto, with ſix ſhips of war only."

"This enterprize, ſo wiſely concerted, and ſo bravely conducted, cannot fail of giving the utmoſt joy to all your majeſty's faithful ſubjects, ſince it affords the moſt reaſonable hopes and expectations, that, by the bleſſing of God upon your majeſty's councils and arms, it may be attended with other important advantages, and highly contribute to the obtaining real and effectual ſecurity of thoſe juſt rights of navigation and commerce, belonging to your majeſty's ſubjects, for the preſervation of which, your majeſty entered into this neceſſary war."

When the addreſs came to the commons, their houſe was remarkably thin; and the addreſs had not, in the form it was ſent down, the words "with ſix ſhips of war only."

Geo. II. 1739-40. But ſeveral of Vernon's friends, who had heard him ſay in the houſe, that he could take Porto-Bello with that force, inſiſted upon thoſe words being inſerted. They were oppoſed by the few of the miniſterial party who were in the houſe, who thought they conveyed a reproachful inſinuation againſt the memory of admiral Hoſier, and that they could only ſerve to revive the animoſities of the public: but the addition being inſiſted upon, it was carried upon a diviſion of 36 againſt 31; and being agreed to by the peers, was preſented accordingly; and it drew from his majeſty the following anſwer. "My lords and gentlemen, I thank you for your dutiful congratulation on this ſucceſs which is ſo much for the honour and intereſt of my crown and kingdoms. The ſatisfaction you expreſs in the meaſures I have taken, is very agreeable to me."

A diviſion carried againſt the court.

Popularity of Vernon.

A Roman conſul, after reducing a province, never received greater marks of public applauſe from his country than admiral Vernon did from his upon the demolition of Porto-Bello. His name, not only amongſt the lower but the moſt diſtinguiſhed ranks, became proverbial for courage; his exploit was exaggerated beyond meaſure; meanings were ſuggeſted that never were intended, and conſequences drawn that never followed. The oppoſition, who counted upon Vernon as a creature of their own preferring, reſolved to avail themſelves of his name; and ſome of their heads entered into a correſpondence with him, which has been ſince publiſhed, and in which they repreſented the miniſter and his friends as ſecret enemies to his perſon and ſucceſs, and themſelves as the patrons of his glory, and the ſureties for his conduct to the public. A man of Vernon's warm conſtitution and reſentful temper, could not but be affected with thoſe repreſentations which he thought came from his friends; and he conceived a deep diſlike to every perſon employed, and every meaſure concerted for the public ſervice, becauſe he thought all came from the miniſter or his friends; and indeed moſt of the terrible misfortunes that afterwards attended the Britiſh arms in America, were owing to his invincible prepoſſeſſions.

An embargo laid on ſhipping.

An embargo upon all ſhipping, except coaſters, had continued by order of the lords of the admiralty ever ſince the 1ſt of February to the 28th of March, when a petition from the merchants and owners of ſhips and others concerned in manufactures and commerce, was ſent to the houſe of commons, complaining of the great hardſhips the continuance of the embargo brought upon trade in general; and containing

containing ſome inſinuations as if it had been continued thro' wantonneſs. The fact was, that the petitioners had been amongſt the loudeſt in the outcry that had been raiſed againſt the government for not protecting their trade; and as that clamour encreaſed, the neceſſity of employing more ſeamen encreaſed likewiſe. The lords of the admiralty had employed every fair means in their power to procure ſeamen, but without ſucceſs, till they were reduced to the diſagreeable alternative of either impoſing the embargo, or permitting the ſervice of the public to ſuffer. To give all the eaſe, however, in their power to trade, they ſoon took off the embargo on foreign ſhips, and acquainted the maſters of Britiſh ſhips, that they were very willing to take it off entirely, if every maſter, or merchant, or owner of a ſhip would, in proportion to their number of hands, contribute to the ſupply of the navy. Though nothing could be more reaſonable, and, indeed, neceſſary, than this conduct, yet it was repreſented, in the anti-miniſterial ſpeeches and writings, as an intolerable oppreſſion upon commerce, calculated with a view to make the city of London and the trading part of the nation weary of the war. The miniſtry, however, did not think fit to comply with the prayer of the petition, which was to be heard by counſel againſt the embargo. They very juſtly thought, that to admit counſel on ſuch a head, was ſtripping his majeſty and the government of one of their moſt unqueſtionable prerogatives; and the petition was therefore rejected by a majority of 166 againſt 95. This ſeaſonable firmneſs of the government was attended with very good effects: for the merchants, at laſt, agreed to carry one third of their crew landmen, and to furniſh one man in four to the king's ſhips; upon which condition their ſhips had protections granted them, and about the 14th of April the embargo was taken off from all merchant ſhips in the ports of Great Britain and Ireland outward bound.

Geo. II. 1740.

greatly exclaimed a gainſt.

It is taken off.

Little more remains to be added to the hiſtory of parliament in this ſeſſion, which, like the laſt, was productive of many excellent laws, and more would have paſſed, had it not been for the ſpirit of party that prevailed. A bill for prohibiting commerce with Spain, created ſome difference between the two houſes, which occaſioned ſeveral conferences; but the lords at laſt dropt their amendments, and it paſſed. The ſtate of paper-money in the Britiſh colonies in America was taken into conſideration, and found to be very deplorable and prejudicial to trade; and ſeveral unanimous reſolutions for addreſſing his majeſty on that head were paſſed by

Excellent laws paſſed this ſeſſion.

the

Geo. II. 1740. the commons; particularly "that he ſhould require and command the reſpective governors of his colonies and plantations in America, not to give aſſent to, or paſs any act, whereby bills of credit may be iſſued in lieu of money, without a clauſe be inſerted in ſuch act, declaring that the ſame ſhall not take effect, until the ſaid act ſhould be approved by his majeſty." Several excellent reſolutions upon the dearneſs of coals in and about the city of London, and to remedy the ſame for the future, were likewiſe agreed to by the commons; but as both theſe were matters of great intricacy and difficulty to remedy, nothing farther upon them could be done this ſeſſion. An excellent law, however, was continued relating to the premiums upon the importation of all kinds of materials for ſhip-rigging, for encouraging the Greenland fiſhery by granting a farther bounty to all ſhips employed in the whale fiſhing during the war, and for protecting their crews from being impreſſed.

King's ſpeech at the cloſe of the ſeſſion. On the 29th of April his majeſty put an end to the ſeſſion by a ſpeech, in which he thanked the commons for the effectual ſupplies they had granted for carrying on the war; and expreſſed great ſatisfaction in the ſucceſs of his arms in diſtreſſing the Spaniards in the moſt valuable branches of their commerce. He renewed his moſt earneſt exhortations to unanimity, and concluded with hoping that the preparations which he was now making for carrying it on in the moſt proper places, and in the moſt vigorous and effectual manner, would be bleſt with ſucceſs equal to their juſt expectations. The parliament was then prorogued to the 3d of June, and by various prorogations afterwards, to the 18th of November following.

Proſecution of the war with Spain. The voice of the public, at this time, called loudly for proſecuting the war with all imaginable vigour; and the miniſtry, as well as the parliament and people, were unanimous in thinking that the enemy could be no way ſo effectually diſtreſſed as in America. It was this induced his majeſty to come to the reſolution hinted at in the latter part of his ſpeech, and to puſh on a war in America with armaments, both by ſea and land, more powerful than any that had ever been ſeen in that part of the globe. The admiralty had, with inexpreſſible pains and diligence, put the navy into good order; and the levying the new bodies of marines and land-forces had been carried on with great ſucceſs. Though the Spaniards ſtill continued to take a great many Engliſh ſhips, yet they were of ſmall value compared to thoſe taken by the Engliſh from them. In a few months, many marine commanders,

manders, and ſailors of all denominations, had been enriched by the ſpoils of the enemy, without danger, nay, almoſt without labour; and the diſplay of the Spaniſh wealth gave prodigious ſpirits to the people. They were greatly heightned when they reflected upon the conduct and ſucceſs of their favourite admiral, who was now become their idol, and whom the government had agreed ſhould be the man to carry on the operations againſt the enemy in America. Geo. II. 1740.

He himſelf had been conſulted in the matter before he left Great Britain, and he found the government chiefly inclined to attack Carthagena; but as Porto-Bello had been always his favourite object, he was left at liberty to act as he ſhould ſee occaſion: only he was to attack the Spaniſh plate fleet by all means wherever he could find it. The ſame indulgence was ſhewn him by his majeſty and the miniſtry, after the demolition of Porto-Bello; and he was given to underſtand by one of his majeſty's principal ſecretaries of ſtate, "that "the king did not think proper to preſcribe any particular "ſervice to be undertaken by him, but left it entirely to his "direction to act againſt the Spaniards in ſuch manner, and "in ſuch places, as ſhould appear to him beſt to anſwer the "ends propoſed by his majeſty's orders to him, which were, "to diſtreſs and annoy the Spaniards in the moſt effectual "manner, by taking their ſhips, and poſſeſſing himſelf of "ſuch of their places and ſettlements as he ſhould think "practicable to attempt[a]." It has been thought proper to give this paſſage at large, in order to vindicate the miniſtry from a common but ill-grounded notion that ſtill prevails with ſome, if they had been for cramping the operations of the war under admiral Vernon. Great favour ſhewn him. Letter from the d. of N. to admiral Vernon, March 26, 1740.

In the mean while, part of the Britiſh ſquadron under admiral Haddock, went to Portmahon, while the other part, which had been all the winter at ſea, and therefore were unfit for ſervice, went to Gibraltar, and this gave the Spaniards an opportunity of bringing their ſquadron at Cadiz to join that at Ferol, from whence two ſhips of war had been ſome time before diſpatched, with 500 land forces on board, to reinforce the garriſon of Carthagena. At the ſame time, they drew down a great number of troops towards the coaſts of Gallicia, and publicly declared they were to be employed under the duke of Ormond, who was then in Spain, in a Letter from ſir Charles Wager to adm. Vernon, June 10, 1740. Spaniſh ſhips ſail from Cadiz to Ferol. An invaſion threatned.

[a] This is from the collection of letters publiſhed by admiral Vernon himſelf, after his name. It was ſtruck out of the liſt of flag officers.

deſcent

Geo. II. 1740.

deſcent upon England. When it was known in England that the Cadiz ſquadron was ſailed, orders were ſent to ſir Chaloner Ogle, who was then with a ſmall ſquadron on the coaſts of Spain, to follow them if they were gone to America. But, upon hearing of the junction of their ſquadron at Ferol, he came to England, and orders were given for fitting out a fleet of twenty men of war of 60, 70, and 80 guns, under ſir John Norris, and to attempt to deſtroy them in the harbour, though it was very ſtrong naturally, and well defended by art.

Ditto, to ditto. Aug. 6.

Had Norris been able to have got his ſquadron ready to put to ſea in time, it is hard to ſay what the event of that undertaking might have been. It is certain that the expectations of the public were never, during all the war, raiſed higher than they were upon this occaſion. Some thoughts were at this time entertained of one day making his royal highneſs the duke lord high admiral of Great Britain; as it was expected the chief operations of the war, ſhould even France take part with Spain, would be conducted by ſea. With this view, perhaps, it was that his royal highneſs had his majeſty's permiſſion to go on board ſir John Norris's ſhip the Victory, one of the largeſt and fineſt ever built in England, as a volunteer in the expedition. The reſolution ſeemed to have been ſudden. His royal highneſs was then at a camp which had been formed at Hounſlow, in expectation of an invaſion; but leaving it, he arrived unexpectedly in a ſhallop at the Iſle of Wight, where he reviewed a body of marines encamped there; and then went on board, by the ſame ſhallop, the Victory man of war.

Sir John Norris ſent to attack Ferol.

Duke of Cumberland a volunteer under him.

It was the 14th of July before the fleet under ſir John Norris could ſail; and when it was off Portland, the Lyon man of war running foul of the Victory, carried away her head, while the Lyon loſt her bowſprit and 28 men, who were forced overboard by the ſhock. This and other accidents of the ſame kind, forced ſir John to put back to St. Helen's with the fleet, from whence he ſailed the 23d on board the Boyne; but on the 27th he was wind-bound in Torbay, and there detained by contrary winds till his proceeding upon his expedition became uſeleſs.

Diſaſters of the fleet, which returns.

When the reſolution in his majeſty's council was fixed of diſtreſſing the Spaniards in the moſt effectual manner in America, it was at the ſame time agreed upon, that this could not be done without employing a body of troops to act by land againſt their forts and ſettlements. As the nation had often had experience of the inconveniences attending diſagree-

Marines reſolved to be raiſed.

ments

ments between the land and ſea officers, a commander in chief of the land forces, the moſt unexceptionable of any in the nation, was pitched upon. This was Charles lord Cathcart, a Scotch nobleman. He had been bred up under the duke of Marlborough, who had been often heard to expreſs a great value for his abilities and intrepidity. He was poſſeſſed at the ſame time of coolneſs, equanimity, and addreſs, that recommended him even beyond his great military abilities to the command deſtined for him by his majeſty; and to crown all, he was in his perſon and conduct ſo little obnoxious to any party, that Mr. Pulteny, then at the head of the oppoſition in England, repreſented him as here deſcribed in a letter which about this time he wrote to admiral Vernon; and ſir Charles Wager, in another letter to the ſame admiral, gave him the like character. Geo. II. 1740. Character of lord Cathcart. Dated, London Aug. 17. Ditto. Aug. 6.

It is hard to ſay whether the court of France, or that of Spain, was now moſt alarmed. Beſides Great Britain, they were to contend with the weakneſs of his Catholic majeſty, who was eat up with ſpleen and ſuperſtition; and it required at this time all the art his queen was capable of employing, to divert him from the reſolution of reſigning once more his crown in favour of the prince of Aſturias, who was known not to be favourably diſpoſed either to the French or the Italian intereſt. The ſcheme of invading Great Britain in favour of the pretender, was undertaken to divert him from that reſolution. The late duke of Ormond, and other exiles for the Stewart family, were talked to about it; but the duke, who was now grown indolent and paſt his days of enterprize, perceiving that the troops as well as ſhipping were unprovided with tranſports and almoſt every thing that could render ſuch an attempt ſucceſsful, declined being concerned in it. Upon this a reſolution was taken, that the Spaniſh fleet ſhould, at all events, ſail from Ferol for the Weſt-Indies; which it did, while ſir John Norris lay wind-bound. This ſtep was not entirely agreeable to the private ſenſe of the French court, who had encouraged that of Spain in their chimerical invaſion of Great Britain, in hopes of bringing home in their own ſhips the treaſures of America. With this view, they had ſent a great many ſhips to Ireland, where they had been loaded with proviſions for the Weſt-Indies; but that being known to the government of England, an embargo was put upon all the ſhipping in Ireland, where fourteen French ſhips at that very time were taking in proviſion. France and Spain alarmed. See Vol. XIX. p. 514. Embargo in Ireland.

This was allowed by all ſober perſons to be a wiſe and a ſeaſonable meaſure in the Britiſh miniſtry. The French court

Geo. II. 1740.

court had already insolently notified to them, that they were determined to take part in defending the Spanish possessions in America, should the English attempt to conquer them; pretending they were, by treaty, obliged to guarantee them.

Claims of the French and Dutch.

At the same time, they set up a claim of privilege to carry Spanish property on board their ships, under pretext that "free bottoms make free goods;" and the Dutch entered the same claim; nay, several ships under Imperial colours had been loaded with Spanish commodities at Cadiz.

Though the above maxim could be understood only of that commerce which subsists between two nations in time of peace (which was not the case with regard to the French taking Spanish treasures on board in America) yet the Spaniards had already set many eminent instances of disregard to it, by taking English property out of Dutch vessels; and declaring that no neutral bottom should prevent their seizing it wherever they could find it. It is certain, that even the Dutch, at this juncture, entered into very unnatural connections with Spain upon the strength of their neutrality, and the dependence they had that they could protect Spanish property on board their ships; and a Dutch ship, richly laden, had been actually taken, bound from Cadiz, with a viceroy for Mexico on board.

Letter from Wager to Vernon, Aug. 6.

Firmness of the English ministry.

Notwithstanding all the outcry against them, it is certain that no set of men ever behaved with more steadiness and resolution than the English ministry did in conducting the war at this time. The French minister, cardinal Fleury, was, by policy as well as habit, sincerely disposed to peace; and so was the French court in general, provided they could gain more by peace than they possibly could by even the most successful war against Great Britain, which must have been the case, had they been permitted to protect the Spanish property coming from, or going to, America; and if the English had been weak enough to have been deterred by their declarations from attempting any thing against Spain in the West-Indies. But the cardinal finding this not to be the case, once more, this summer, ordered the French minister at London to offer, in the most solemn manner, the mediation of his most Christian majesty for terminating all differences between the courts of Great Britain and Spain; and if it was agreeable to his Britannic majesty, he was willing that the courts of Vienna and Portugal should be joined with him in the mediation. This offer was received with great coldness, but civilly; and the answer given by the council of England was, that they wanted nothing more than a safe and

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an honourable peace. But the French miniſter intimating that before that was obtained, it was proper his maſter ſhould have an aſſurance, that the expedition to America, which was now ready to ſail, ſhould not go forward; the anſwer was, "that nothing was ſo likely to render any mediation ſucceſsful, as a vigorous powerful armament." Geo. II. 1740.

This anſwer being looked upon as a rejection of all offers of accommodation, orders were immediately diſpatched from the court of Verſailles to the marquis d'Antin at Breſt, to take upon him the command of the ſquadron there, conſiſting of twelve large ſhips, and to proceed with it directly to the Weſt-Indies, there to join the Spaniſh ſquadron. Tho' the diſappointment the French had met with by the embargo in Ireland had left their ſhips in a very bad plight for ſo long a voyage, yet d'Antin was forced to comply; and another ſquadron of like force was ordered upon the ſame ſervice from Toulon at the ſame time. French ſquadron ſails to America.

Thoſe unexpected events threw the government of England at firſt into ſome conſternation; but it ſoon vaniſhed upon recollecting, that the flower both of the French and Spaniſh marine being now ſailed for America, they needed be under little or no apprehenſion from an invaſion; and that they had at ſea force enough to encounter their armaments. It was therefore reſolved, that inſtead of ſending, as was firſt propoſed, no more than ſix men of war with the troops under lord Cathcart, they ſhould have ſuch a number of ſhips to attend them, as ſhould be ſufficient to encounter all events. Letter from Wager to Vernon, Feb. 24, 1740-41.

In the mean while great differences aroſe about the object of this formidable oppoſition, and many debates were held about it in the Engliſh cabinet. Vernon, in his letters to the lords of the admiralty, and to other members of the government, had expreſſed great diſlike to all expeditions againſt the Spaniards in America, in which he was not to have the ſole direction. He, at the ſame time, entered the moſt bitter complaints againſt the delays that had happened in not ſending him farther reinforcements of ſhips, men, ſtores, and proviſions; and threw out in his letters many ſevere reflections, as if the miniſter intended to ſacrifice him to his private connections with France. Even thoſe atrocious charges, however groundleſs, were overlooked. They were conſidered as proceeding from miſinformation, and all was pardoned to his popularity and the important ſervices he had already done to the public. The queſtion in the cabinet was, whether the particular deſtination of the ſervice ſhould not be named in the orders ſent out with lord Cathcart? One party was for naming Debates in England about the places to be attacked in America.

Geo. II. 1740.

naming Carthagena, and another the Havannah; which was conſidered as being by far the moſt important and the beſt fortified place the Spaniards had in America; and, if taken, of the greateſt importance to the intereſt of Great Britain. This opinion was, undoubtedly, the beſt founded, had the undertaking been practicable.

Deſcription of the Havannah, and reaſons for attacking it.

The Havannah is ſituated in the iſle of Cuba, and ſecures the paſſage to and from the gulph of Florida, by which the poſſeſſion of it by the Engliſh would make them maſters of all the Spaniſh navigation in the Weſt-Indies. The iſland being fruitful, large and healthy, was naturally much preferable to any iſland the Engliſh have in America; and the ſuperiority of Great Britain at ſea, with the vaſt ſtrength of the place, if taken, muſt have rendered it almoſt impoſſible for the Spaniards to recover it. Above all it was urged, that the Engliſh poſſeſſing the Havannah, rendered themſelves maſters of all the above advantages, without the danger of being corrupted or enervated by poſſeſſing the ſources of their riches in Mexico and Peru: and amongſt other excellent acts that paſſed the laſt parliament, one for naturalizing all foreign proteſtants who ſhould reſide ſeven years in any of his majeſty's colonies in the Weſt-Indies, preſented a fair proſpect of its being ſoon peopled if it was taken.

Such were the arguments urged for the favourers of the ſcheme, who were the heads of the oppoſition. But many of the ſoundeſt heads in England thought, that the taking of the Havannah would be like declaring perpetual war not only againſt Spain, but againſt all the nations of Europe concerned in her American commerce. That ſooner or later, therefore, England muſt be obliged to give it up; and that ſhe could receive no equivalent that was in the power of Spain to give her, which could indemnify her for the expence of blood and treaſure ſhe muſt be at in the acquiſition. Add to this, that the Havannah was always well provided for a defence, and was, by nature, almoſt impregnable by ſea.

Referred to a council of war in the Weſt-Indies.

The arguments on both ſides being weighed, and a great number of people who were well acquainted with the Havannah being examined, and declaring, that though they thought the attempt by ſea would be extremely hazardous, if not impracticable, yet they had been informed that the place was acceſſible by land, it was reſolved with the approbation of lord Cathcart himſelf, that no particular inſtructions ſhould be ſent; but that, when he arrived at Jamaica, where he was to join Vernon, a council of war ſhould be called, and there it ſhould be finally determined, upon what particular

ticular ſervice the fleet and the army ſhould go; or rather, whether they ſhould attack the Havannah or Carthagena, which all agreed were the only two objects belonging to the enemy in thoſe parts that were worthy ſo great an armament. Geo. II. 1740.

CHAP. VIII.

Fort Chagre taken—Affairs of the continent—Deaths of the king of Pruſſia—emperor of Germany—and the Czarina—Affairs of the city of London—Parliament meets—Great debates upon the peers addreſs—Anſon's expedition—Motion in both houſes againſt ſir Robert Walpole—Defeated—Carthagena attacked—Attempt upon Cuba.

WHILE thoſe matters were debating in England, Vernon, that he might, in ſome meaſure, continue to deſerve the high opinion that had been formed of him in England, ſet ſail with his ſquadron from Port Royal in Jamaica; and after ſurmounting ſome difficulties, he anchored in the bay of Playa Grande before Carthagena, and immediately began a briſk bombardment againſt the town, which did abundance of damage to ſome of the principal edifices. But not having ſtrength enough to take the place, and his ſmall craft having ſuffered greatly in the attempt, he was obliged to bear away for Porto-Bello to refit; leaving the Windſor, captain Berkeley, and the Greenwich, captain Wyndham, to curize off the port of Carthagena for twenty days. From Porto Bello he detached cruizers from time to time to lye off Chagre, a fort of ſome ſtrength belonging to the Spaniards, and ſoon after he put to ſea to attack it, which he did on the 23d of March; and by the good conduct of captain Knowles, who ſerved as engineer and battered the fort, it capitulated upon the 24th. The capitulation granted, was a freſh proof of the equity and humanity of the Engliſh. Fort Chagre attacked and taken.

For the laſt two or three years, very little had paſſed upon the continent of Europe that was intereſting to England. The ceſſion of Lorrain to the French, made them formidable neighbours to the emperor; and gave them an opportunity of oppoſing, with greater effect, the king of Pruſſia's pretenſions upon the ſucceſſion to the dutchies of Bergues and Juliers. The war between the emperor and the Turks, continued to Affairs of the continent.

Geo. II. 1740. be carried on greatly to the diſadvantage of the former; but his Imperial majeſty, in order to ſave the honour of his crown and ſubjects, complained of the miſmanagement of his generals, and at laſt accepted of the mediation of the French, the Engliſh, and the Dutch miniſters at Conſtantinople, for a peace. It was ſettled upon very diſadvantageous terms for him, and not quite honourable, with regard to his ally, the Czarina of Muſcovy, ſhe being obliged to give up to the Turks Belgrade, Sabatz, Servia, Auſtrian Walachia, with the iſle and fort of St. Elizabeth. The emperor continued to throw the whole blame of all his miſcarriages, during the war, upon his generals. General Doxat, for giving up a place which was not defenſible, was beheaded; Seckendorff was confined, tried, and diſmiſſed with a cenſure, which, however gentle, was unjuſt, becauſe he had been betrayed by the jeſuits, who had withheld from him every thing that was neceſſary for making his operations ſucceſsful. Others of his generals were diſgraced, and his Imperial majeſty finding the Czarina reſented the manner in which he concluded a ſeparate peace with the Turks, without her privity, publiſhed at laſt a manifeſto, in which he threw all the blame upon general Wallis and general Newperg, who, he ſaid, had exceeded their inſtructions, in ſigning the treaty. The Czarina was ſenſible that his conduct was owing to his weakneſs; and though ſhe had many ſignal advantages over the Turks, yet ſhe conſented to treat, but rejected the ſole mediation of France, and refuſed to open any conferences, but under the mediation of Great Britain, which being granted, the conferences were opened, and the peace was ſoon concluded, which ſettled the limits between her and the Turks, greatly to her ſatisfaction and honour.

Captures of the Spaniſh and Engliſh.

The war was all this time proceeding very briſkly between Spain and England. The Princeſſa, a ſhip of the Spaniſh navy, was taken, after an obſtinate engagement, by the Engliſh ſhips the Orford, the Lenox, and the Kent. But this and ſome other ſucceſſes of the like kind, were greatly allayed, by the vaſt loſſes which the Engliſh navigation daily ſuffered from the Spaniſh privateers. The real loſs in point of property, was far from being ſo material to the nation, as the number of hands that were rendered uſeleſs to it, by being confined in the enemy's priſons; this rendered the manning the grand fleet, which was to go out with lord Cathcart, very difficult. His lordſhip, in a moſt polite and friendly letter he wrote to admiral Vernon, had informe[d] hi[m]

Dated June 22, 1740.

him, that the miniſters in England had aſſured his majeſty, that he ſhould ſail with the firſt fair wind after the 22d of June; but the reſolution taken to augment the force that was to go with lord Cathcart, retarded that expedition ſo long, that it ended finally in its ruin. At laſt, the grand fleet was completely fitted out, the embarkation was made, and on the 31ſt of October it put to ſea, under ſir Chaloner Ogle. The whole conſiſted of 27 ſhips of the line, beſides frigates, fireſhips, bomb-ketches, tenders, ſtoreſhips, and tranſports. The land-forces conſiſted of the ſix regiments of marines, which now formed about 6000 men, and ſome detachments from old corps, and theſe were to be joined by four regiments, that were ordered to be raiſed upon the continent of America, and ſent to Jamaica. The government, ſo far from cramping this expedition, ſpared nothing that money, intereſt, power and authority could procure, to give it ſucceſs; nor was there a demand made by the officers, either by ſea or land, that was not readily and punctually complied with. The reader in the notes [a] will find the particulars

Geo. II. 1740.

[a] A liſt of his majeſty's ſhips of war, which ſailed from St. Helens, October 26, 1740, under the command of ſir Chaloner Ogle, kt. rear-admiral of the blue, with a fleet of tranſports, having on board the marines and land-forces, commanded by lord Cathcart.

Ships names.	Captains.	Guns.	Men.
Ruſſel,	Sir Chaloner Ogle, Norris,	80	600
Princeſs Amelia,	Hennington,	80	600
Boyne,	Leſtock,	80	600
Carolina,	Griffin,	80	600
Chicheſter,	Trevor,	80	600
Cumberland,	Steward,	80	600
Norfolk,	Graves,	80	600
Shrewſbury,	Townſend,	80	600
Torbay,	Gaſcoigne,	80	600
Buckingham,	Mitchel,	70	480
Orford,	Lord Aug. Fitzroy,	70	480
Prince Frederick,	Lord Aub. Beauclerk,	70	480
Prince of Orange,	Oſborn,	70	480
Suffolk,	Davers,	70	480
Auguſta,	Denniſon,	70	400
Deptford,	Moſtyn,	70	400
Dunkirk,	Cooper,	60	400
Jerſey,	Lawrence,	60	400
Lion,	Cotterel,	60	400
Montague,	Chambers,	60	400

Geo. II. 1740.

ticulars of the ships employed in this momentous expedition, which was designed for no less than the reducing the Spanish monarchy in America to an incapacity of ever again interrupting the trade, or assisting the enemies, of England. The sailors, who had heard wonders of the Spanish riches there, were impatient to be in action, and lord Cathcart wrote to admiral Vernon, in the following terms.

Dated as above.

"In the corps of troops I bring you, there is spirit, there "is good-will, which, when properly conducted, will, I "hope, produce what the nation expects from us, and will "make us the glorious instruments for finishing the war "with all the advantages to the public that we can pro- "mise, from the happy beginning of it; and with this dis- "tinguishing circumstance, that those effects have been "owing to a perfect agreement between the land and sea- "officers."

The principal commanding officers under lord Cathcart were Wentworth, Guise, and Blakeney, who acted as brigadiers; Harman and Rufane, as majors of brigade; and the inferior officers were the most proper that could be found to be employed. But some of the letters that passed between sir Charles Wager and admiral Vernon unfold a secret, the ignorance of which bore very hard upon the character of the minister at that time; which is, that if there was any delay in expediting the armament sooner, it was not to be imputed to him, but to the winds; and it may be proper

Ships names.	Captains.	Guns.	Men.
Rippon,	Jolley,	60	400
Superb,	Hervey,	60	400
Weymouth,	Knowles,	60	400
York,	Cotes,	60	400
Litchfield,	Cleland,	50	300
	Hospital ships.		
Princess Royal	Tucker,		95
Scarborough,	Carter,		95
	Fireships.		
Ætna,	Fenwick,		45
Phaeton,	Kennedy,		45
Strombulo,	Hay,		45
Firebrand,	Barnard,		45
Vesuvius,	Grey,		45
Vulcan,	Pellet,		45

The Buckingham returned to Spithead the 16th, having lost her masts in a storm on the 1st instant: she brought advice, that the Superb lost all her masts, but her bowsprit; yet got into Lisbon.

here

here to lay before the reader, the opinion of ſir Charles, who had great experience of the climate, to which it was bound. "It was, ſays he, firſt intended to ſend lord Cathcart with ſix men of war only, but when we found the French declared they would not ſuffer us to make any conqueſts in the Spaniſh Weſt Indies, and ſent firſt the Breſt, and afterwards the Toulon ſquadron, to the Weſt-Indies, which, for my part, I never imagined that they would venture to do, and dare ſay, they will dearly repent it; we were then obliged to add more ſhips, ſo as to make you at leaſt equal to all thoſe ſquadrons. I need not tell you, how much time it neceſſarily takes up to prepare and victual ſo large a ſquadron for a voyage to the Weſt-Indies, nor how difficult it very often is to get them out of the channel when they are ready to ſail; as this year, both winter and ſummer, we have experienced: and I thought it would not be amiſs for both French and Spaniards to be a month or two in the Weſt Indies before us, provided the treaſure was not ready to embark in that time, that they might be half dead, and half roaſted, before our fleet arrived; as I doubt not but it has happened to them: and the government here laying an embargo upon all proviſions in Ireland, where the French had 14 ſhips loading proviſions for the Weſt-Indies, has, no doubt, been a great diſappointment to them; and if our Northern plantations did not ſupply them, (which I am afraid they have) both French and Spaniſh ſquadrons muſt, I ſhould think, be in great diſtreſs."

Geo II. 1740.

Letters of Wager to Vernon, dated Feb. 4, 1740-1.

Such was the opinion of ſir Charles Wager, whoſe abilities and ſoundneſs of judgment as a ſeaman, never was queſtioned; and as to the other parts of his character, the reader will be pleaſed to take them from a moſt unexceptionable authority, that of the man, who was then at the head of the oppoſition to all the meaſures of the miniſter, to whom ſir Charles Wager was a profeſſed and determined friend. "I eſteem ſir Charles Wager much, ſays he, and know him to be a very valuable man, extremely amiable in his character of private life, and a well-wiſher to his country in his public capacity."

Letter of Mr. Pulteny to admiral Vernon, dated June 16, 1741.

This being premiſed, the reader will judge for himſelf, upon the following paſſage, in a letter from ſir Charles to Vernon. "The letters I ſent you by the Kent, found fault with the complaints, I was informed you made, of being abandoned and forſaken by the adminiſtration here at home; I do not doubt, but you was ſoon convinced, that

Ditto, Wager to Vernon, May 23, 1741.

Geo. II. 1740. "you was miſtaken, and cannot but believe, that the government here have the intereſt of the nation as much at heart, as you have. I always ſaid, when people were ſo impatient for our ſhips to be gone before there was a ſufficient number, or men and proviſions, &c. be provided, that it would be better for us, knowing the treaſure could not be ready for them, that both French and Spaniards ſhould be in the Weſt-Indies two months before us; becauſe, in that time they would be half dead, half roaſted, and half ſtarved, as it really happened; for I had a letter the other day from Cadiz, from one that was in D'Antin's ſquadron, which ſaid, that they buried above 3000 men."

The court of France, at laſt, perceiving that the Engliſh miniſtry were not to be diverted from their great point of attacking Spain in the Weſt-Indies, threw off the maſk. At firſt they pretended, that they ſent their ſquadrons to the Weſt-Indies, not with any intention of their acting hoſtilely there, but merely to protect the Spaniſh commerce, according to treaty; but they now began to talk another language, and as a prelude to their declaration of war, they employed ſome thouſands of men in repairing the fortifications of Dunkirk, in violation of the treaty of Utrecht. The earl of Waldegrave, the Engliſh ambaſſador at Paris, preſented a memorial upon that head. Though the thing was notorious, and though both the duke of Boufflers and the marquis de Gevry were actually at Dunkirk, ſuperintending the reparations, and the Engliſh ordered to retire from it, yet Amelot, the French miniſter, in his anſwer to the earl of Waldegrave's memorial, after denying that any infractions of treaties had been made, had the unparalleled aſſurance to go on, as follows. "It is true, the king (meaning the king of France) has cauſed four batteries of guns to be raiſed, in order to oblige the corſairs and privateers, which infeſt theſe ſeas, to keep at a due diſtance from the coaſt, and to ſecure the inhabitants from the inſults they are liable to from the ſmalleſt ſhips: but I leave your excellency to judge, whether this indiſpenſable and temporary precaution, which will ceaſe the moment that public tranquillity ſhall be re-eſtabliſhed, deſerves to be called a contravention of treaties, or whether his majeſty has not rather reaſon to complain of being, from ſuch ſlender grounds, taxed with failing in his engagements."

This language was juſtly conſidered by all England as an inſolent prelude to a farther declaration, which ſoon after appeared on the part of France. Admiral Vernon, in a letter

letter to the French governor of that part of the iſland of St. Domingo that belongs to France, had avowed his intention to attack Carthagena; and it appeared by the proceedings of parliament in England, that the Engliſh were to hold all they could take from their enemies. This was farther evident, by the copy of a declaration, which lord Cathcart was ordered to diſperſe, upon his landing on any part of the Spaniſh Weſt-Indies, promiſing indemnity and protection in all their effects and poſſeſſions, and the free exerciſe of their religion, to all the Spaniards, who ſhould quietly ſubmit to the Engliſh government, as if they were the natural born ſubjects of England; and that they ſhould be free from all the taxes and oppreſſions of the Spaniſh government. The Indians in particular, continued the declaration, (which was greatly calculated to conciliate the affections of the natives) ſhall be exempted from the royal tributes and ſervices which they are ſubjected to, they ſhall have the privilege and right of trading directly with Great Britain, and all the Britiſh colonies in America; and, in fine, upon all occaſions, and in all reſpects, they ſhall be conſidered, aſſiſted, favoured, and treated as the natives of Great Britain. Geo. II. 1740. Declaration to be publiſhed by lord Cathcart.

Soon after this was publickly known, the court of France emitted another declaration, in which they pretended, that they could not be unconcerned ſpectators of the prodigious armaments formed by England againſt the Spaniſh Weſt-Indies, which tended to throw the whole trade and riches of the new world into the hands of the Engliſh, in manifeſt violation of all treaties and conventions, particularly the treaty of Utrecht. The declaration ſet forth at the ſame time, that the marquis d'Antin, the French admiral, in the Weſt-Indies, had no orders to act offenſively there againſt the Engliſh, and that the intention of his court was only to vindicate the faith of treaties. Contents of the declaration of France.

His majeſty, about the time this declaration was emitted, returned from a viſit he had made to his German dominions. Three great events had lately happened in the affairs of Europe, which threw its whole ſyſtem into a another form. The firſt was, the death of the king of Pruſſia. He was a prince by no means amiable, either in his public or private character; and in ſome reſpects, his manners were next to ferocious. He had long cultivated a tolerable good underſtanding with England, but thinking his friendſhip ſomewhat undervalued upon the concluſion of the firſt treaty of Vienna, and ſome incidents of a more private nature falling out in his own dominions in Germany, for which he Death and character of the king of Pruſſia.

Geo. II. 1740.

blamed the heads of the royal family in England, he became more ſhy in his correſpondence and connections with Great Britain. It ought to be recorded, however, to his praiſe, that he left his kingdom in a flouriſhing ſtate, his finances in excellent order, and the fineſt army that Europe could boaſt of. It happened fortunately for the good of Europe, that his jealouſy and ſeverity towards his ſon and ſucceſſor, Frederic, ſince ſurnamed the Great, kept him at ſuch a diſtance from the affairs of government, that he had leiſure to cultivate the fine arts, and to improve his excellent underſtanding with every ſtudy, that could accompliſh him as a king and a warrior; and an opportunity ſoon preſented for his carrying into practice the noble theory he had ſtudied. He diſregarded his father's paſſion for the talleſt men to form his armies, and he aboliſhed a ſpecies of ſlavery in his dominions, by which his ſubjects were, in their infancy, by a particular badge of tyranny, affixed to their perſons, devoted to a military life, as ſoon as they were of age or ſtrength to bear its fatigues. He diſcovered a great paſſion for learning and learned men, and, in a few caſes, ſome degree of munificence; but his abilities were ſoon perceived to be equal to his virtues. His family had ſome pretenſions, which ſeemed to be well founded, upon Herſtal and Hermal, two diſtricts in the biſhopric of Liege. His Pruſſian majeſty made a peremptory claim of them, which not being complied with, inſtead of ſubmitting his right to tedious and uncertain diſcuſſions, he marched 2000 of his troops into the controverted places, where they lived at free quarter, till the biſhop, in commiſeration of the inhabitants, was obliged to relinquiſh his poſſeſſion to his Pruſſian majeſty.

Conduct of his ſon and ſucceſſor.

Death of the emperor Charles the VIth.

The ſecond event, was the death of the emperor Charles the VIth, which happened the 9th of October this year, and which ſoon threw all Europe into the moſt dreadful convulſions. The ruling principle of that prince's life, had been to eſtabliſh the pragmatic ſanction, by all the ſecurity which the moſt ſolemn engagements of the greateſt powers of Europe could give it. It had been guarantied by Great Britain, the States-general, Denmark, the ſtates of the empire, and, in ſhort, by all the powers in Europe, excepting the electors of Bavaria and Saxony; for at laſt, it was recognized even by France. By this act, the emperor's hereditary dominions were to deſcend to his daughter, Maria Thereſa, who had been married to the grand duke of Tuſcany, and ſhe was immediately proclaimed queen of Hungary and Bohemia, and ſovereign of all the hereditary ſucceſſion

cession of the house of Austria. It was soon visible, however, that she was to encounter very powerful enemies. The electors of Bavaria and Saxony claimed, under the right of the daughters of the emperor, Joseph, elder brother to the emperor Charles, and who had been married into their families; for which reason, they had always opposed the pragmatic sanction. Geo. II. 1740. Disputes about his succession.

The last event we mentioned was, the death of the Czarina, Anne Imanowna, who named for her successor, John, son of the princess Anne of Mecklemberg, her niece, and the duke of Brunswick Lunenburg Bevern. This nomination was in prejudice to the succession of the princess Anne, in whose right the young prince inherited, but was brought about by the great ascendency the duke of Courland had over the late Czarina, and which went so far, that he got himself declared regent of the empire. Nothing could have given a sanction to so absurd a settlement, but the reverence which the great nobility had for the late Czarina, who trod in the path of their beloved emperor Peter, whose daughter, the princess Elizabeth, was still alive, and residing at the court of Petersburgh. The undue influence, however, of the duke of Courland, a man of mean birth, and owing his great advancement to the partiality of the late Czarina, was of no long duration. The princess of Mecklemburg treated him with the utmost contempt, and her husband tore the commission which the duke presented him, constituting him generalissimo and grand admiral. The counts Munich and Osterman, to whom that empire owed the greatest obligations, joined the party formed by the princess, and concerted their schemes with such secrecy and success, that count Munich arrested the duke of Courland, who was tried for his life, and condemned to die, but had his sentence changed into banishment, while the princess of Brunswick was declared by the whole senate, ministry, and generals of the army, regent of the empire, and great princess of all Russia. But she seemed all this while to reflect, that she was doing to another, the very wrong that had been done to her, as the right of succession undoubtedly belonged to the princess Elizabeth, who had the wisdom to put on the appearance of chearfully complying with the late revolutions. Death of the Czarina, and the events that followed.

That the great movements of the state, and the operations of arms, may be kept as distinct as possible, it may be proper here to inform the reader, that few anecdotes of a private nature happened this year in England of importance enough to engage his attention. The noble scheme of Domestic affairs of England.

erecting

Geo. II. 1740.

erecting an hoſpital for the reception of foundling and expoſed children, was proſecuted with the utmoſt alacrity and ſucceſs; and the truſtees, appointed by the royal patent, were compoſed of the greateſt names of the kingdom, the duke of Bedford being the firſt preſident. The eſpouſals between the princeſs Mary and the prince of Heſſe-Caſſel, were celebrated at St. James's on the 8th of May, the duke of Cumberland being proxy for the bridegroom; and on the 2d of July following, the prince and princeſs met together at Amelianthal, from whence they went to Caſſel, where they were ſolemnly married. About the ſame time, great diſturbances happened in various parts of England, on account of the ſcarcity of corn, which the common people attributed to the arts of engroſſers, and the vaſt quantities of it exported to foreign countries. Towards the end of June, the lords juſtices had publiſhed an order againſt all engroſſers, which was to be very ſeverely executed; and the commiſſioners and officers of the cuſtoms were ordered at the ſame time to have a very watchful eye over all the exports and exporters of corn. This precaution, however, did not prevent the populace from riſing into little leſs than a rebellion at Wiſbich in the iſle of Ely, Norwich, Newcaſtle, Derby, Northampton, Wellingborough, and other parts of England; nor were they quelled without the interpoſition of the military force, and ſome bloodſhed. In moſt places, their proceedings ſhewed that it was not indigence or oppreſſion, but the moſt abandoned diſſolution of manners, that occaſioned their riſing. At Newcaſtle, after the magiſtrates had done all they could to pacify their clamours, and ſupply their wants, they broke into the town-houſe, where the magiſtrates and other gentlemen of the town were aſſembled, wounded many of them, both there and in the ſtreets, ranſacked the whole place, deſtroyed the public writings and accounts, and carried off near 1800 l. of the public money. Not ſatisfied with this, they threatened deſtruction to the whole town; and it is hard to ſay what the event muſt have been, had not three companies of Howard's regiment entered the town in the evening, diſperſed the tumult, and ſeized forty of the ringleaders. At Wiſbich the inſurrection was equally alarming. The mob there ſeized above twenty-five laſts of wheat, and laid the ſhopkeepers under a kind of contribution. The principal gentlemen, however, in the neighbourhood, behaved with a becoming reſolution, and forming themſelves into a body, they inliſted above 500 men. They then attacked the rioters at Upwell, the then place of rendezvous, diſperſed them,

The Foundling Hoſpital.

Inſurrections about corn.

them, and ſecured about 60, of whom 14 were condemned to die; but two of them only were executed, the reſt being ordered for tranſportation. Geo. II. 1740.

The approaching ſeſſion, being the laſt of the parliament, great efforts were made for having one returned againſt the miniſter. Though theſe efforts were general all over the kingdom, where the oppoſition had any intereſt, yet they were moſt prevalent in Scotland, where the duke of Argyle exerted himſelf with extraordinary vigour. In a journey which he made this ſummer there, he had collected together the whole intereſt of the oppoſition, which was very great in thoſe parts, and had been of late much increaſed by the unpopular proceedings of the government in the affair of Porteous. The people, from the late merits of his oppoſition, regarded him as their protector and future deliverer. Addreſſes from public bodies were preſented to him as if he had been a crown'd head; and by the popularity of his behaviour, he ſoon acquired influence enough to procure a great majority of the Scots repreſentatives againſt the court at the next election. The city of Edinburgh, in particular, was remarkable in their expreſſions of their zeal for his grace on this occaſion.

Conduct of the oppoſition.

The duke of Argyle's popularity in Scotland.

The city of London, as uſual, was far from being backward in the cauſe of oppoſition; but an incident happened which diſcovered with what conſiſtency they continued their addreſſes and inſtances for a place-bill in parliament: for, in their common-council, they threw out, by a majority of 47, a very neceſſary place-bill, to prevent any member of that court being concerned in the city's works; it having been long obſerved as an inconſiſtency, that artificers ſhould ſit in committees firſt to imploy themſelves, and after that to audit and paſs their own bills.

Caſe of the election of a lord mayor of London.

On the 29th of September, the common day for chuſing a lord mayor for the enſuing year, the court of aldermen, the majority of whom was for the miniſtry, returned alderman Heathcote in preference to ſir Robert Godſchall, who was the ſenior alderman, their two names being given in by the livery. The anti-miniſterial party, who happened to be almoſt the whole livery, exclaimed againſt this proceeding as an innovation and an inſult; and Mr. Heathcote, who was warmly in their intereſt, addreſſing the hall, moſt earneſtly begged to be excuſed, and recommended ſir Robert Godſchall. He was not only excuſed, but thanks were returned him for his declining, in ſupport of the liberties of the city, the office of lord mayor. This, however, did not decide upon the right which the court of aldermen had to compel him,

Geo. II. 1740. him, ſhould they inſiſt upon his ſerving in that high office; but on the 10th of October the court of aldermen and common-council excuſed Mr. Heathcote from any compulſion, and on the 14th of the ſame month the names of ſir Robert Godſchall and Humphry Parſons, eſq; were returned by the common hall to the court of aldermen, who, after long debates, returned by a majority of only one voice, alderman Parſons. This, by the moſt ſenſible friends of the miniſtry, was thought at that time a moſt ill-timed obſtinacy on the part of the court of aldermen; becauſe all they could gain by it was to aſſert the trifling privilege of ſetting aſide the ſenior alderman returned by the hall, though both were equally diſagreeable to the court. Parſons had long diſtinguiſhed himſelf as a violent oppoſer of the miniſter, and was an eminent inſtance how far a man may riſe to popularity and wealth, without the leaſt viſible merit or ability, excepting that opinion which the roughneſs and vulgarity of demeanour begets amongſt his fellow citizens, of his inflexibility and honeſty.

Character of alderman Parſons, who is choſen lord mayor.

Such, as has been here repreſented, was the ſtate of affairs at home and abroad, when his majeſty opened the laſt ſeſſion of that parliament on the 18th of November. His ſpeech on this occaſion was full of reſolution and magnanimity. "The court of Spain," ſaid he in one part of it, "having already felt ſome effects of our reſentment, began to be ſenſible that they ſhould be no longer able, alone, to defend themſelves againſt the efforts of the Britiſh nation; and if any other powers, agreeably to ſome late extraordinary proceedings, ſhould interpoſe and attempt to preſcribe or limit the operations of the war againſt my declared enemies, the honour and intereſt of my crown and kingdoms muſt call upon us to loſe no time in putting ourſelves into ſuch a condition as may enable us to repell any inſults, and to fruſtrate any deſigns formed againſt us in violation of the faith of treaties; and I hope any ſuch unprecedented ſteps, under what colour or pretence ſoever they may be taken, will inſpire my allies with a true ſenſe of the common danger, and will unite us in the ſupport and defence of the common cauſe.

Extract from the king's ſpeech at the opening of the parliament.

"The great and unhappy event of the death of the late emperor, opens a new ſcene in the affairs of Europe, in which all the principal powers may be immediately or conſequentially concerned: it is impoſſible to determine what turn the policy, intereſt, or ambition of the ſeveral courts may lead them to take in this critical conjuncture. It ſhall be my

my care ſtrictly to obſerve and attend to their motions, and to adhere to the engagements I am under in order to the maintaining the balance of power and the liberties of Europe, and in concert with ſuch powers as are under the ſame obligations, or equally concerned, to preſerve the public ſafety and tranquillity, to act ſuch a part as may beſt contribute to avert the imminent dangers that may threaten them." Geo. II. 1740.

His majeſty then mentioned the great ſcarcity of corn which had happened in many countries in Europe, and recommended to his parliament to take care to prevent the exportation of it, ſo that his enemies might be ſupplied; and he concluded by exhorting them to make proviſions for removing the difficulties which had been found in manning the fleet.

When the peers returned to their houſe, the duke of Argyle, who by this time had returned from Scotland, before a motion was made by any of the court lords, made a motion for an addreſs in the following terms: "To congratulate his majeſty on his ſafe return to his regal dominions; to aſſure his majeſty that we will ſtand by him with our lives and fortunes in proſecution of the juſt and neceſſary war in which he is engaged. Duke of Argyle's motion for an addreſs.

"And as a further proof of our duty and affection to his majeſty's ſacred perſon, royal family and government, to aſſure him, that we will exert ourſelves in our high capacity of hereditary great council of the crown (to which all other councils are ſubordinate and accountable) in ſuch a manner as may beſt tend to the promoting the true intereſt of his majeſty and our country in this critical juncture."

This motion was ſupported by a very warm and eloquent ſpeech made by the noble duke, in which he fell with great acrimony upon the naval operations of that year, particularly upon the miſcarriage of ſir John Norris's expedition againſt Ferrol; and he inſinuated, that ſecret orders had been given by the miniſters againſt any attempt being made on the coaſt of Spain in Europe; and that the ſailing of the grand fleet (for by this time it was ſailed) was the effect of his majeſty's perſonal preſence. His grace found likewiſe great fault with the royal ſpeech, which he all along ſuppoſed to be drawn up by the miniſter, not naming the power who might be ſuppoſed to attempt to preſcribe or limit the operations of the war; and he declared, that his motion was entirely drawn up by himſelf, without conſulting with any perſon whatſoever.

The

Geo. II. 1740.

The earl of Holderneſs upon this moved for an addreſs of a more explicit kind. "To acknowledge his majeſty's great wiſdom and his adherence to the true intereſt of his kingdom, in reſolving to carry on this juſt and neceſſary war in the moſt proper places, and in the moſt vigorous and effectual manner, and in not ſuffering himſelf to be diverted or deterred from theſe meaſures.

Motion of the earl of Holderneſs for the ſame.

"To give his majeſty the ſtrongeſt aſſurances, that if any power ſhould attempt to preſcribe or limit the operations of the war againſt his declared enemies, ſuch an extraordinary proceeding would not fail to create a juſt indignation in us, and determine us to concur in all proper meaſures for vindicating and defending his dignity and honour againſt any inſults, and fruſtrating any deſigns formed againſt us.

"To aſſure his majeſty, that this houſe will zealouſly ſtand by and ſupport him in adhering to the engagements he is under for maintaining the balance and liberties of Europe, on the event of the late emperor's death, as well as in the proſecution of the preſent war.

"To expreſs our unſhaken and unalterable fidelity and affection to his majeſty's perſon and government, and our ardent wiſhes that all his enterprizes for maintaining the honour of his crown and the rights of his people, may be bleſſed with ſucceſs."

Theſe two motions are exhibited here, becauſe they ſpeak the language of the two great parties at that time in parliament. The duke of Argyle's aſſerting, that all other councils are accountable and ſubordinate to the houſe of peers, was an oblique reflection upon the great compliment which had been paid to the houſe of commons in the late meſſage for a ſupply, without any notice being taken of the lords; and nothing was now more uſual than for the lords in the oppoſition to ſay, that by the miniſter being a commoner, and by the power of money which the commons have, the houſe of peers was become a meer cypher. The reader, from what has gone before, can eaſily figure to himſelf the facts and arguments upon which the debate turned. The great and acknowledged merits of Vernon, gave the oppoſition vaſt advantages, becauſe, in all his letters, he complained of being ſent out without any land-forces; and he enlarged upon the great things he could have done, had he carried out with him 1500 or 2000 men. It was inſinuated with great acrimony, that the delicate manner of touching upon France in the ſpeech, was a full proof that the miniſter was afraid of offending her; and that ſir John Norris, as well as admiral Haddock

Debate upon the motions.

Duke of Argyle.
Lord Carteret.
Earl of Cheſterfield.
Lord Talbot.

Haddock in the Mediterranean, had actually ſecret orders not to oppoſe the ſailing of the Spaniſh fleet either from Cadiz to Ferrol, or from Ferrol to America. Geo. II. 1740.

All thoſe objections were more than anſwered by the lords on the other ſide. Lord H. explained very fully and unanſwerably in what ſenſe the houſe of commons was not ſubordinate or accountable to the houſe of peers; becauſe their powers are now preſcriptively independent of, and diſtinct from, one another. He added, that though the houſe of peers was a ſuperior juriſdiction, yet that did not imply that the houſe of commons was now accountable to them in their parliamentary capacity, whatever they might have been formerly; and that it would be highly imprudent and impolitic at any time, eſpecially at that time when unanimity was ſo neceſſary, to revive any diſpute upon that head: that the matter of the late meſſage had been before diſputed and over-ruled, and it was not quite regular to revive it in a motion about an addreſs. As to admiral Vernon, his complaints, if he made any, could only ariſe from events; it had never been known that he had demanded from the government a greater force than he had carried out, nor indeed as he only went upon repriſals, and as neither a declaration of war had been made, nor had the act for holding the enemies poſſeſſions paſſed when he ſailed, would it have been very proper to have ſent ſuch a body of troops with him if he had required them. Lord Hardwick. Lord Cholmondley. Lord Hervey.

As to any tenderneſs to France in the ſpeech, it was ſaid there could be none, becauſe ſhe was plainly pointed out; and what was called a delicacy, was no more than a common decency made uſe of by one ſovereign towards another with whom he is not at open war. As to the conduct of the admirals, it was ſaid to be unfair to tax them in general terms, eſpecially as every one knows how precarious the winds and weather are, and how little it is in the power of any officer to command them. But if any thing was amiſs in that reſpect, there was a proper time for enquiring into it. To theſe arguments it was added, that the ſecond addreſs moved for, being more decent and more particular, diſcovered a greater confidence of the houſe in his majeſty, which would be attended by the beſt effects abroad, where the queen of Hungary had no hopes of preſerving her dominions but in the opinion which foreign powers might conceive from the cloſe and unalterable agreement between his majeſty and his parliament. Such was the ſum of the arguments urged on both ſides; but at laſt it was carried for the court by a ma- The adminiſtration defended.

jority

Geo. II. 1740. jority of 66 againſt 38. After this the earl of Abington moved for agreeing to the duke of Argyle's motion without the words, "to which all other councils are ſubordinate and accountable;" but this likewiſe was carried in the negative by a majority of 62 againſt 35, and the addreſs moved for by the earl of Holderneſs was agreed upon. A ſtrong proteſt, however, againſt that reſolution was entered by 23 peers.

Diviſion.

Proceedings of the commons.

The debate in the houſe of commons upon the queſtion of their addreſs, turned upon their declaring that they would make a due examination into the application of the ſupplies given the laſt ſeſſion of parliament. But as this inſinuated ſome diffidence of the miniſtry, it was thought improper to inſert it; and therefore the addreſs, which was a very loyal and conſtitutional one, as moved by Mr. Bromley, was agreed to.

In order that a proper idea may be formed of the proceedings of this important ſeſſion, it is neceſſary here to reſume the account of the warlike operations that were now going on. Beſides the great expedition fitting out under lord Cathcart, another was projected under captain Anſon. Great hopes were formed from his abilities; and his deſtination, though attended with vaſt danger, was ſuppoſed, if he ſucceeded, to be productive of vaſt profits, which afterwards proved to be the caſe. It was to ſail with a ſmall ſquadron of ſhips to the South-Seas, there to diſtreſs the enemy in their trade, to annoy them on the coaſts of Chili and Peru, and ſhould admiral Vernon be ſucceſsful, to open a communication with him over the iſthmus of Darien.

Captain Anſon's expedition.

Sailing of the grand fleet, and death of lord Cathcart.

Mean while, the fleet carrying lord Cathcart and his army ſet ſail under ſir Chaloner Ogle on the 26th of October, conſiſting of 170 ſail; and after meeting with ſome ſtorms, arrived at Dominica, a neutral iſland, where lord Cathcart died of a bloody flux. His death was an inexpreſſible loſs to the ſucceſs of the expedition, being ſucceeded by Wentworth, a man, in no degree, equal to ſuch a command.

Motions in the houſe of peers.

In this ſtate, was this important expedition, when, on the firſt of December, a motion was made in the houſe of peers, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to give directions to the proper officers to lay before this houſe, copies of the ſeveral orders and inſtructions given to vice-admiral Vernon, from the time of his ſailing from England in the year 1739, to the 24th of June laſt, except only ſuch parts of thoſe orders

and

and inſtructions, which relate to any particular deſign, yet remaining to be executed." Geo. II. 1740.

It was generally thought, that this motion was grounded upon the ſecret intelligence which Vernon himſelf had ſent to the gentlemen in the oppoſition; it was but weakly ſupported, and the arguments for it had no degree of authenticity. They went as far back as the expedition of admiral Hoſier in the Weſt-Indies; in which, the friends of the motion ſaid, 3 admirals, about 30 captains, above 100 lieutenants, and 4000 private ſailors, periſhed moſt inglorioufly. Mention was likewiſe made of the behaviour of the Engliſh fleet, which, when Gibraltar was beſieged, tamely ſuffered the enemy to ſupply their army with all kind of proviſions. But theſe arguments being far from ſufficient to ſupport the motion, it was rejected, by a majority of 57 againſt 35. After this, it was moved with much better ſucceſs; "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to give directions, that there be laid before this houſe, copies of all the letters written by vice-admiral Vernon to the commiſſioners for executing the office of lord high-admiral of Great Britain, or their ſecretary, and to his majeſty's principal ſecretary of ſtate, from the time of his ſailing from England in the year 1739, to the 24th of June laſt; and alſo copies of all letters written by the ſaid commiſſioners, or their ſecretary, and the principal ſecretaries of ſtate to the ſaid vice admiral within the ſaid time." Diviſion.

This motion, as it ſtood, was very exceptionable, becauſe it tended to publiſh to the world, the future operations which admiral Vernon might deſign to execute. The court lords, therefore, propoſed an addition to it, which was, "So far as ſuch letters relate to any ſupplies of ſhips, men, ſtores, ammunition, proviſions, and other neceſſaries." This amendment, after ſome debate, was carried, but, it turned out greatly in prejudice of the miniſter; becauſe, in ſome of the letters the admiral complained bitterly of the ſtores that had been ſent him; and, in a paſſage of one of his letters, he complained, that they were not good enough for a Spithead expedition.

On the 8th of December, another motion was made in the houſe of peers, for laying before the houſe, "copies of the ſeveral inſtructions given to rear-admiral Haddock, from the time of his ſailing from England in the year 1738, to the 24th of June laſt." This motion was better ſupported than any of the preceding. It appears from a dark paſſage

Geo. II. 1740.

[a] in one of ſir Charles Wager's letters to Vernon, that there had been ſomething myſterious in Haddock's going to Port-mahon at the time he did; and as his character, as an admiral, was unexceptionable, the public was ſtrongly impreſſed with a notion, that he had orders for what he did from the miniſter. As to ſir Chaloner Ogle, who was the other admiral in command there, the friends of the motion obſerved, that no blame could be thrown upon him, becauſe he had ſince been entruſted with a higher command. Notwithſtanding theſe conſiderations, the houſe had before been fully ſatisfied, that the miniſter was not to blame, and that if any overſight had been committed, it was owing either to miſinformation or neceſſity, which had obliged the Britiſh fleet to go into harbour. They, beſides, did not think proper to divulge the ſecrets of Haddock's inſtructions, by making them public, and therefore rejected the motion, by a majority of 58 againſt 41.

Dated May 29, 1740.

The reader may perceive, that the houſe of lords was this ſeſſion the great ſcene of political altercation; and the above motions were founded upon facts that were to ground the chief part of the perſonal charge againſt ſir Robert Walpole, which his enemies in both houſes were now meditating. But in one reſpect, the miniſter and his friends were at a great loſs; for two of the firſt officers in Europe at this time, the duke of Argyle and lord Cobham, were his enemies, and he had not a friend in the houſe of peers, who could ſpeak upon the affairs of the army. On the other hand, all the officers of the army in the houſe of commons were his friends; but they had little weight, when their authority was oppoſed to that of the two peers. As the miniſter himſelf knew little of military matters, his friends had obtained his conſent, that the addition that was to be made to the army, ſhould be made by raiſing new regiments, and not by raiſing additional men to companies. This coming to the knowledge of the oppoſition, a motion was made in the houſe of lords, "that the augmenting the army, by raiſing regiments, as it is the moſt unneceſſary and moſt expenſive method of augmentation, is alſo the moſt dangerous to the liberties of Great Britain." Had this motion been debated, the court lords muſt have made but an indifferent

Affairs of the army.

Great officers oppoſe the miniſter.

[a] As to the Spaniſh ſquadrons that were at Ferrol and Cadiz; they are now joined at Ferrol; too many of our ſhips having gone up to Mahon, and thoſe left at Gibraltar, being diſabled by ſickneſs.

figure, as the propoſition itſelf was, in fact, undeniable. It was, however, thought irregular in a houſe of parliament, to preſcribe to his majeſty, the manner in which he was to augment the army, eſpecially as the meaſure had already been reſolved upon. The motion, therefore, was, upon the previous queſtion, ſet aſide, by a majority of 59 againſt 42. The miniſterial party, however, loſt more than they gained by this ſucceſs; becauſe, putting the previous queſtion was thought to be a tacit admiſſion of the truth of the propoſition; and a very ſevere proteſt was entered by 24 peers, reflecting highly upon the conduct of the miniſter during the management of the war.

Geo. II. 1740.

Motion put off, upon the previous queſtion.

The next motion made in the houſe of peers, took its riſe from a former motion, which, as has been already obſerved, was prejudicial to the miniſter. The information, which the lords of the oppoſition had received from the papers ſent home by admiral Vernon, gave them ſufficient grounds to affirm, that he complained bitterly of his having been neglected, and of the inſufficiency of his ſtores, and that he had likewiſe made a demand of more ſhips and men, which never had been complied with. On the 28th of January a motion was made, for the repreſentations which admiral Vernon had made to the miniſtry or the admiralty, "in relation to the want of more ſhips or more men, or any intimation of ſervice he could have performed, if he had been ſupplied with a few more ſhips and ſome land-forces." As this motion was plainly formed out of the informations the admiralty had given to the members in the oppoſition, of the contents of his letters to the admiralty, it was ſtrongly debated. The friends of the motion thought, that without ſuch papers, they could not effectually enter upon an enquiry into the conduct of the war. It was urged, that the Spaniſh fleet had been deſignedly ſuffered to ſail, that the Spaniards had had opportunities of fortifying their poſſeſſions in America, and of providing them in all manner of ſtores; and that, had the Spaniards been prevented from ſailing to America, the French durſt not have interpoſed in the manner they did.

Arguments for,

On the other hand it was urged, whatever inſtances Mr. Vernon might have made, they could be no directions to the government, who had every day reaſon to apprehend an invaſion; and lord Hervey, in particular, put the caſe, that ſuppoſing the coaſts of Great Britain had been diſfurniſhed of men and ſhips, in order to reinforce Mr. Vernon, and an invaſion, which was far from being unlikely, had

and againſt the motion.

MSS debates.

Geo. II. 1740.

taken place, how the public would have blamed the government for expoſing the nation to ſo much danger, merely to purſue chimerical, or at beſt, poſſible, conqueſts. Other lords added, that it was eaſy to talk of ſending out fleets, but that the admiralty found it a very difficult matter to man them; and ſome very ſevere reflections were thrown out againſt the pains that had been taken to prevent the only way, by which ſhips of war might be manned, without preſſing; and yet continuing to rail againſt the weakneſs of the navy, and the hardſhips of preſſing. The queſtion at laſt was carried in the negative, by a majority of 71 againſt 44.

which is thrown out.

Riſe of a motion for a ſecret committee;

The duke of Argyle, during the courſe of all the debates hitherto, in order to make a kind of an apology for his remaining ſo long in the adminiſtration, had always inſiſted, that ſir Robert Walpole had ſo thoroughly engroſſed all the power of the adminiſtration, that the privy council itſelf was ſhut out from all knowledge of what was tranſacting, and he gave himſelf as an inſtance. For he ſaid, that though, while he voted for the meaſures of the miniſtry, he was a privy counſellor, yet he was kept entirely in the dark, as to many material tranſactions, which he knew nothing of till they were paſſed, and ſometimes brought into the privy council, in order, not to be examined, but to be approved of. He obſerved, that the fear of diſcovering the ſecrets of the adminiſtration, had been urged generally in bar of all enquiries; and if that plea was admitted of, there never could be any enquiry. A medium was therefore propoſed, and it was moved, "That a ſelect committee be appointed, to enquire into the conduct of the war, conſiſting of all the lords of the houſe, who are of his majeſty's moſt honourable privy council." But this motion was rejected, by a majority of 68 againſt 43, becauſe every lord in the houſe had an equal right of enquiry as a privy counſellor; and when the committee came to make their report, it muſt either be very imperfect, or the privy counſellors muſt be obliged to act contrary to their oath of ſecreſy. Beſides, as no particular acts of miſmanagement had been eſtabliſhed, and proved againſt the adminiſtration, it was to no purpoſe to alarm the public with ſuch an enquiry; which could ſerve only to give the diſaffected a handle to ſow doubts and jealouſies in the minds of the well-affected at home, and the friends of the nation abroad.

which is thrown out likewiſe;

and why.

Great animoſity againſt the miniſter.

Tho' all thoſe motions were regularly and rationally debated and rejected, yet the very rejection of them was urged without,

as

as well as within doors, as a freſh proof of the miniſter's all-engroſſing power, and of the neceſſity of removing him from his majeſty's preſence and councils. It was with that view alone that they were made, for the authors had no manner of notion that they could be carried. The reader, therefore, is to conſider them as eſtabliſhing the ground-work of a motion which was in reſerve, and was to crown the unpopularity of the miniſter. But that he may form to himſelf a more diſtinct idea of this critical time, it may be proper to throw in ſome information with regard to the then external, as well as internal, ſtate of the nation. Geo. II. 1740.

State of affairs in America.

The declaration of France, with regard to the part ſhe was determined to take, in caſe the Engliſh ſhould puſh their conqueſts in the Spaniſh Weſt-Indies, left no room to doubt that ſhe would, as the friends of the court had always foreſeen and foretold, act againſt the Engliſh there. With this view, their fleet, to the amount of about twenty ſhips of the line, was at this time at Port Lewis, but was, through the precautions which the Engliſh government had taken, in the utmoſt diſtreſs for want of proviſions; and the Spaniſh fleet were in as bad a condition at Carthagena and Porto-bello, the fortifications of which they were endeavouring to repair. It was matter of aſtoniſhment to all Europe, what could induce the French to ſacrifice their ſailors in that manner, great numbers of their men being dead, and the remainder reduced to three ounces of bread a day to a man, and that, half worms and dirt. But it ſoon appeared, that the French court and nation were in the utmoſt diſtreſs for money to carry on their ambitious ſchemes, and they were in hopes, that by avoiding to declare war againſt Great Britain, the Spaniards would have been induced to put their treaſures on board the French ſhips, where it would have been ſafe by their neutrality. But in this they were deceived, and d'Antin in the ſpring was obliged, under the utmoſt diſtreſs, to return, without performing any material ſervice to the Spaniards; though his continuing there, led the Engliſh into notable miſtakes. In the mean while, ſir Chaloner Ogle, with the fleet under his command, was proceeding, after having weathered a great ſtorm, which diſabled ſome of his ſhips from keeping him company, towards Jamaica. It is certain, he carried out orders with him, for Vernon to act offenſively againſt the French, if they ſhould continue in thoſe ſeas. But it appears, that thoſe orders were addreſſed to Vernon only; for when ſir Chaloner ſent lord Auguſtus Fitzroy with four ſhips to attack four other

Letter from ſir Charles Wager to admiral Vernon. May 21.

Geo. II. 1740.

ſhips, on the coaſt of Hiſpaniola, whom he imagined to be Spaniards, ſome cannonading enſued, but the ſhips being diſcovered to be French, after mutual apologies and compliments paſſing, both parties ſeparated.

Action between lord Auguſtus Fitzroy and ſome French ſhips.

D'Antin returned at a time when upwards of 100 Engliſh ſhips of war were at a great diſtance from Britain, and when, through the weakneſs of the channel ſquadron, an invaſion would have been very practicable, had his fleet been able to have undertaken it, or had the finances of France been in a condition to have ſupported a freſh equipment. But they had been exhauſted by a deep train of ambition they had laid, and which they could not purſue, without a ſupply of money from Spain.

Affairs on the continent.

For the death of the emperor Charles VI. had entirely altered the ſyſtem of affairs in Europe. His daughter, the queen of Hungary, was indeed poſſeſſed of immenſe territories, but her finances, through the miſmanagement of her father's miniſters, were in a moſt deplorable condition; her huſband was without intereſt, and without ſpirit, and her claim to the moſt part of the Auſtrian ſucceſſion, was diſputed by powerful pretenders.

Character of the new king of Pruſſia.

Amongſt thoſe was Frederic, king of Pruſſia. This prince, immediately upon his ſucceſſion to his throne, gave plain indications of his future character, which was, ſecreſy in concerting, and rapidity in executing, every plan laid down. Though his family had been amongſt the firſt to guaranty the pragmatic ſanction, yet the princes of it never had formally renounced certain claims they had upon Sileſia, which was one of the faireſt gems in the Imperial diadem. Upon the electors of Bavaria and Saxony diſputing the undivided ſucceſſion of the queen of Hungary to her father's hereditary dominions, his Pruſſian majeſty, after expreſſing ſome indignation, raiſed a powerful army. All Europe imagined, that the head of the houſe of Brandenburg would not have raiſed ſuch an army, at a juncture ſo critical for the houſe of Auſtria, but to ſupport the pragmatic ſanction; but his Pruſſian majeſty, without ſuffering the world to be long in the dark, as to his pretenſions, immediately publiſhed a manifeſto, explaining them; and yet before it could reach the court of Vienna, he had entered Sileſia, at the head of 30,000 of his beſt troops. The reaſon he gave for his conduct in his manifeſto was, that he might aſſert the inconteſtible rights of his family to that duchy, founded on antient conventions of family and confraternity between the elector of Bavaria and the princes of Sileſia. He then proceeded to a kind of apo-

His pretenſions to, and invaſion of, Sileſia.

logy,

logy, for not previouſly acquainting her Hungarian majeſty with his intentions, which, he ſaid, might have been fruſtrated by other pretenders, had he diſcovered them; and concluded with aſſuring the world, that he would, at all times, ſtrenuouſly aſſert the intereſts of the houſe of Auſtria. Geo. II. 1740.

State and ſentiments of Great Britain in that quarrel.

Amongſt the other powers of Europe, who were alarmed at this ſtep, was the court of Great Britain. The ſupport of the houſe of Auſtria, the hereditary friend of the proteſtant ſucceſſion in England, was a favourite meaſure with all the friends of liberty. The bigotry and tyranny of the princes of that houſe, and the unjuſt methods, by which their territories were acquired, were now forgot, and nothing was remembered, but that a young beautiful unoffending princeſs, the heireſs of the houſe of Auſtria, with her innocent offspring, was about to be ſtript of her all, and turned adrift into the world. Add to this, the fatal diviſion with which the proteſtant intereſt was threatened, at a time when unanimity was ſo neceſſary. The manner in which his Pruſſian majeſty proceeded, left no hopes of his being prevailed upon by any repreſentations, that, by his family guarantying the pragmatic ſanction, they had, in fact, renounced their pretenſions to Sileſia, which was part of the ſucceſſion which that act guarantied. He had already precluded all remonſtrances of that kind, by declaring, that no family act could injure the rights of a third perſon, and that the guaranty objected, could only be ſuppoſed to be for thoſe territories, to which the houſe of Auſtria was juſtly entitled, which it was not to Sileſia.

Progreſs of the king of Pruſſia.

The ſuddenneſs of his irruption had occaſioned his meeting at firſt with no oppoſition, and he acted in all reſpects, as if he had been already ſovereign of the duchy. Though he took the opinion, in writing, of his miniſters and generals, he was determined by his own; and he no ſooner determined, than he executed, without leaving time for farther expoſtulation. He ſeized the revenues and magazines of the religious houſes, and he invited all the inhabitants to ſubmit to his allegiance. At the ſame time, to preſerve an appearance, at leaſt, of moderation, he ordered his miniſters at the court of Vienna to offer, 1ſt, To guaranty afreſh, with all his power, the poſſeſſions of the houſe of Auſtria in Germany. 2d, To conclude a ſtrict alliance with the courts of Vienna, Ruſſia, and the maritime powers. 3d, To employ all his intereſt for making the duke of Lorrain emperor. 4th, To advance the queen of Hungary two millions of florins, to put her in a poſture of defence againſt her enemies. When

His offers to the queen of Hungary.

Geo. II. 1740. When thoſe offers were laid before the court of Vienna, they were treated in a haughty manner, both by the queen and her huſband; and his Pruſſian majeſty gave his miniſters orders to moderate his demands, by requiring to be put into poſſeſſion of part of Sileſia.

rejected.

Inſtructions from the king of Pruſſia to count Gotter. Dec. 26.

When the whole of this tranſaction was communicated to the court of Great Britain, the miniſter and his friends ſecretly wiſhed that they had been accepted, but the nature of his majeſty's engagements with the queen of Hungary, did not admit of their making any public declaration on that head. It was eaſy, however, to foreſee, that a prince, of the king of Pruſſia's power and reſolution, could ſcarcely fail to make his pretenſions good; and that, as afterwards happened, if he was obliged to do it by force, he would think himſelf diſengaged from the offers he then made, which, if quickly accepted of, might be productive of the moſt ſalutary effects. But the haughtineſs of the court of Vienna, ſoon rendered it unneceſſary for the Britiſh miniſtry to be explicite on thoſe heads, for all his Pruſſian majeſty's offers were flatly, if not ignominiouſly, rejected.

Great Britain affected by the haughtineſs of the court of Vienna.

Undeſirable ſituation of England.

It is evident, that Great Britain was at this time in a very undeſirable ſituation. She was at war with Spain, upon the eve of a war with France, divided from the greateſt proteſtant princes in the empire, without proſpect of aſſiſtance from the Dutch, who were overawed by France, and menaced by Pruſſia; the Northern powers divided, and jealous of one another, and herſelf plunged into a greater expence than ever ſhe had been obliged to bear at one time. But all this was not the worſt. She was obliged to ſupport a ſinking ally, whoſe weight might cruſh herſelf, and this ally was deſtitute of all abilities to render her power equal to her ſpirit, unleſs they were ſupplied by Great Britain.

After this plain, but ſhort, repreſentation of the ſtate of Great Britain at this time; the reader will not be ſurprized, that the miniſtry found themſelves under an obligation to augment the national troops to 51,515 effective men, excluſive of thoſe in Ireland. Though this was but the natural conſequence of the unforeſeen events which had happened in Europe, and of the oppoſition precipitating a war with Spain, as they were now at war with France, and though the nation was inceſſantly as one man, calling out upon his majeſty to ſupport the queen of Hungary, yet a handle was made of this great force, to ſow jealouſies and diſtruſt amongſt the people. It was objected, that none but young regiments were gone out with ſir Chaloner Ogle, though it was well known,

known, that all the material ſervice intended in America, was propoſed to be done by the marines, who had been but a ſhort while raiſed. It was obſerved with great acrimony, that only one officer, of all who had gone abroad, was a member of parliament, the reſt, who were members, having been kept at home to vote for the miniſter. Though it appeared that this was merely accidental, and the natural effect of employing marines in the expedition, yet this, amongſt other charges, againſt the miniſter, was induſtriouſly and greedily ſwallowed by his enemies, who, on the third of February, the day appointed for taking the eſtimates of the army into conſideration in the houſe of peers, moved to reſolve, Geo. II. 1740.

Farther charges againſt the miniſter.

"That an humble addreſs be preſented to his majeſty, repreſenting, that this houſe cannot conceive the intended augmentation of land forces to be neceſſary, either from the preſent ſituation of affairs in Europe, or from any lights they have received, ſuch as have been thought neceſſary by our anceſtors, to juſtify the laying any extraordinary burthens on the ſubject: and moſt humbly to beſeech his majeſty, that if he ſhould, however, think ſo great an augmentation abſolutely neceſſary, he will, at leaſt, be graciouſly pleaſed, as well for the preſent, as for the future eaſe of his ſubjects, to order it to be made in the moſt frugal manner, by ſuch an addition of private men to the preſent regiments, as his majeſty, from his own wiſdom and knowledge of the practice of moſt other countries, may judge to be moſt proper for military ſervice, and leaſt dangerous to this conſtitution." Motion in ſupport of them.

Though there was nothing new in this motion, (which had been fully diſcuſſed before,) yet a great deal new was ſaid upon it, and the debate on the part of the oppoſition took a turn, as if the miniſter had kept the old regiments at home, on purpoſe to overawe the reſentment of the people, now exaſperated beyond all patience at his meaſures. The debate was unequally maintained on the ſide of the government. The example of the French, who augmented their army by regiments, was very improperly urged as a pattern to Britain, and the fact being notorious, that his majeſty's electoral forces were augmented by additional men, gave the oppoſition great advantages. The queſtion, however, being called for, the motion was rejected, by a majority of 67 againſt 49.

The next motion, preparatory to that for removing the miniſter was, for papers relating to the convention, and was plainly calculated to revive the popular odium againſt him on that account. The reader is not to expect any particulars of a debate,

Geo. II. 1740. a debate, that has been ſo often and ſo fully diſcuſſed, it is ſufficient to ſay, that the motion was rejected, upon the uſual principles of ſecreſy and prudence, by a majority of 67 againſt 46.

The oppoſition now thought they had done enough to eſtabliſh the public deteſtation of the miniſter; and on the 11th of February, Mr. Sandys, who was pitched upon to make the motion in the houſe of commons, went up to ſir Robert Walpole, and informed him of the intended attack, which was to be on the 13th [a]. Mr. Sandys, afterwards, on that day, in his place, informed the houſe of the ſame, and it is incredible how high the expectations of the public were wound up, it being publicly known, that the ſame motion would be made the ſame day in the houſe of peers. Many of the commons ſecured their ſeats in that houſe before ſeven in the morning, and the greateſt intereſt for admiſſion was made by many perſons of high diſtinction, who were not members.

Accordingly, on the 13th of February, Mr. Sandys made a motion in the houſe of commons, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to remove the right honourable ſir Robert Walpole, knight of the moſt noble order of the garter, firſt commiſſioner for executing the office of treaſurer of the exchequer, chancellor and under treaſurer of the exchequer, and one of his majeſty's moſt honourable privy council, from his majeſty's preſence and councils for ever."

[a] Our common collections and hiſtories of the time inform us of an anecdote which is true, but they omit the moſt material part of it. Sir Robert was no ſtranger to the intended motion, nor to the day on which it was to be made, nor even to the honourable gentleman's intention to acquaint him of it. He therefore received the intimation with the greateſt compoſure and dignity, not without ſome mixture of contempt at the information; and after deſiring only fair play, he laid his hand, with ſome emotion, upon his breaſt, and ſaid,

"—— Hic murus aheneus eſto
"Nil conſcire ſibi, nulli palleſcere culpæ."

Upon this Mr. P. who, as he generally did, ſat upon the bench with him, dryly ſaid, that it was falſe Latin. Sir Robert wagered a guinea that it was not; and it appearing that the words of Horace were,

"Nulla palleſcere culpa"

Mr. P. took the guinea, and held it up, with this ſarcaſtical obſervation, that it was the only guinea that he had received for many years of the public money.

The

The miniſter was too wiſe to cruſh this motion, as he might eaſily have done, becauſe it was unprecedented. The friends of it, indeed, brought three precedents ſince the revolution, to ſupport it, but it happened that all the three were cenſures of members, who had been previouſly convicted of miſdemeanors by the houſe [a]. The charge in both houſes (the motion in the houſe of peers was made by lord Carteret) began as far back as the year 1720, from whence the miniſter was ſuppoſed to date his preſent power; and it was attempted to be proved, that he had deviated from that plan of policy, which he himſelf, in his impeachment of the earl of Oxford, had laboured to eſtabliſh; and it was pretended, that this appeared by the firſt treaty of Hanover, which was calculated to aggrandize the power of the houſe of Bourbon, and to depreſs that of Auſtria. An attempt was made to ſhew, that all the great expences the nation had run into by augmenting the army, and paying ſubſidies to foreigners, were owing to

Geo. II. 1740.

[a] One of the precedents happened the 7th of December, 1693, and it related to the lord Falkland, who was actually convicted before the houſe of withdrawing a letter written by his lordſhip to Mr. Rainsford, who was to be examined by the commiſſioners, for taking the public accounts. This was a pregnant caſe, becauſe it appeared, his lordſhip had received 4000 l. from his majeſty, contrary to the ordinary method of iſſuing and beſtowing the king's money. Notwithſtanding this fact was proved upon him, and though a motion was made to ſend his lordſhip to the Tower of London, the ſame was rejected, by a majority of 175 againſt 137; and he was only reprimanded in his place. It is true, the caſe, by an extraordinary ſtrain of ſeverity, very commonly inflicted upon miniſters in that reign, on the 16th of February thereafter came again before the houſe, when his lordſhip was committed to the Tower of London, but by no greater majority than 143 againſt 126.

The next precedent brought is a very extraordinary one, and is inſerted here, to ſhow what freedom of ſpeech went uncenſured, during ſir Robert Walpole's adminiſtration, compared with what was ſeverely puniſhed in the reign of king William; for, on the 9th of November, 1696, Mr. Manly, member of the houſe of commons, in a debate, relating to the proceedings of the houſe againſt ſir John Fenwick ſtanding up in his place, and ſpeaking theſe words, viz. "It would not be the firſt time that people have repented their making their court to the government, at the hazard of the liberties of the people;" which were directed by the houſe to be ſet down in writing at the table.

Upon this, though Mr. Manly endeavoured to excuſe himſelf, he was, without any diviſion, committed priſoner to the Tower of London.

that

Geo. II. 1740. that treaty; and this charge was aggravated by a declaration the late king made, expreſsly charging the emperor with a deſign, in conjunction with Spain, to place the pretender upon the throne of Great Britain. As this charge, in the courſe of this work, has been more than once touched upon, no farther notice ſhall be taken of it here, only that it was urged, that nothing authentic had ever appeared to juſtify ſo improbable a charge; and that it was therefore no other than a ſuggeſtion of the miniſter.

See Vol. XIX. p. 574.

Mr. Pelham. In anſwer to this, it was obſerved by Mr. Pelham, who bore a great ſhare in this day's debate, that the peace of Utrecht was very imperfect; that the quadruple alliance was therefore formed, in order to ſupply the deficiencies of the peace of Utrecht, by ſtrengthning the emperor in Italy, and by transferring to him the kingdom of Sicily from the duke of Savoy, and at the ſame time giving an irretrievable blow to the marine of Spain by ſir George Byng deſtroying it in the year 1718. The king of Spain was by Britain forced to accede to the quadruple alliance, which brought on the congreſs of Cambray; during the dependency of which the emperor and the crown of Spain made the treaty of Vienna, which was extremely prejudicial to the intereſt of Great Britain, and to which the treaty of Hanover was no more than a counter-alliance. As to the charge of an intention to ſet the pretender upon the throne of England, it was what the late king was fully convinced of; and it being a matter known perſonally to himſelf, he had a right to make uſe of it in his ſpeech to the houſe, neither had it ever been diſproved. In ſhort, Mr. Pelham proved with unanſwerable ſtrength of reaſon, that the emperor had been the firſt to deviate from the plan upon which the balance of Europe was fixed ſo much in his own favour.

As the concluding the firſt treaty of Hanover was in fact the groundwork of the whole charge againſt the miniſter, and as there can be now no doubt that it is poſſible to be ungrateful for the many ſignal benefits received from Britain, and as the other parts of the charge relating to the management of the war with Spain have been already taken notice of in this hiſtory, the reader cannot expect any farther detail of this debate, which was managed by the greateſt ſpeakers in both houſes. The motion itſelf in the houſe of commons was ſeconded by lord viſcount Limerick, and ſupported by lord viſcount Cornbury, ſir John Hynde Cotton, ſir John Barnard, lord viſcount Gage, Mr. Alexander Hume Cambel, Mr. Pulteny, Mr. Littleton, Mr. Gybbon, Mr. Wortly, Mr.

Continuance of the debate.

Mr. Pitt, and alderman Heathcote. But the motion was oppoſed by Mr. Pelham, lord viſcount Tyrconnel, Mr. Bromley, colonel Bladen, Mr. Stephen Fox, Mr. Howe, and many other members. The motion in the houſe of peers was ſupported by the dukes of Bedford and Argyle, the earls of Weſtmorland, Berkſhire, Carliſle, Abingdon, and Halifax, and the lords Haverſham and Bathurſt; the oppoſers of the motion were the lord chancellor, the dukes of Newcaſtle and Devonſhire, the biſhop of Saliſbury, the earl of Ilay, lord Hervey, and the earl of Oxford. This laſt nobleman, tho' he was one of the heads of the tory intereſt, who had always diſtinguiſhed himſelf in the oppoſition to ſir Robert Walpole, yet upon this occaſion warmly oppoſed the motion, not, as he declared, from any conviction he had within himſelf of the miniſter's innocence, but becauſe he thought the principle upon which the bill went, as no legal or indeed other evidence had been brought to ſupport it, was cruel, unjuſt, and unconſtitutional; and he was old enough to remember the hard meaſure which a miniſter of his own family, chiefly by the influence of the miniſter againſt whom that motion was made, received from unſupported charges.

Geo. II. 1740.

Debates in the houſe of peers.

MSS debates. Lord Oxford againſt the motion.

This generous declaration had great weight with the members, and indeed in both houſes many of the principal tories, who had been always foremoſt in the oppoſition to ſir Robert Walpole, either voted againſt the motion, or abſented themſelves from the debate, by which they incurred the ridicule of their whig allies. The prince of Wales was preſent at the debate in the houſe of peers, and great notice was taken that the earls of Coventry, Graham, Wilmington, and Darnley, with the lords Brook and Foley, did not divide with either party. At laſt the queſtion being called for, the motion was rejected by a majority of 108 (19 of whom were proxies) againſt 59, of whom 12 were proxies.

They were called ſneakers.

The motion rejected.

Immediately after the motion thus paſſed in the negative, the duke of Marlborough roſe up and moved to reſolve, "that any attempt to inflict any kind of puniſhment on any perſon without allowing him an opportunity to make his defence, or without proof of any crime or miſdemeanor committed by him, is contrary to natural juſtice, the fundamental laws of this realm, and the antient eſtabliſhed uſage of parliaments, and is a high infringement on the liberties of the ſubject."

Duke of Marlborough's motion,

The truth of the propoſition contained in this motion, was admitted by the warmeſt friends of the laſt motion; but contrary to all principles of reaſoning, they inſiſted upon the treaties

Geo. II. 1740.

treaties that lay before them as being full evidences againſt the miniſter; but without offering one circumſtance of evidence to prove that thoſe treaties had been ſolely conducted by him, or that they were detrimental in themſelves to the honour and intereſt of the nation. They made, however, a faint endeavour to ſet aſide the motion upon the previous queſtion, but it was carried, though ſtrong proteſts were entered upon both queſtions.

paſſed.

The tories againſt the motion.

In the houſe of commons, many of the moſt violent tories likewiſe gave their voices againſt the motion; and it was obſerved, that the miniſter never was known to exert either ſo much moderation or abilities as he diſcovered on that day's debate. He was himſelf the laſt who ſpoke, and in a moſt maſterly manner he recapitulated the ſeveral particulars of the general charge that had been made againſt him, and ſhowed them to be void of all manner of foundation; and at the ſame time he had the magnanimity not to deny that he was to be conſidered as the firſt miniſter, in caſe any one ſtep which had been taken by the government could be proved to be either diſgraceful or diſadvantageous to the nation, he looked upon himſelf as accountable for it. "Gentlemen," ſaid he, towards the cloſe of his ſpeech, "have talked a great deal of patriotiſm. A venerable word, ſir, when duly practiſed. But I am ſorry, ſir, to ſay that of late it has been ſo much hackneyed about, that it is in danger of falling into diſgrace: the very idea of true patriotiſm is loſt, and the term has been proſtituted to the very worſt of purpoſes. A patriot ſir! why patriots, ſpring up like muſhrooms; I could raiſe fifty of them within the four and twenty hours. I have raiſed many of them, ſir, in one night. It is but refuſing to gratify an unreaſonable or an inſolent demand, and up ſtarts a patriot. I have never been afraid of making patriots, ſir, but I diſdain and deſpiſe all they can do.—No man, I believe, who ever had the honour of ſerving the crown, ever had ſuch an attack made upon him as the preſent motion; a motion that gentlemen have been ſo long a meditating, ſo long a threatning, and which they had ſo much deſire to ſupport: but, ſir, has it been ſupported, has it been attempted to be ſupported with even the ſhadow of evidence?—Yes, ſir, I have long heard of this motion, and let gentlemen contradict me, if they can, when I ſay I could have prevented it. By what means, I leave the houſe to judge. But I choſe, ſir, they ſhould do their utmoſt; and I rejoyce in this debate, let the iſſue of it

MSS debates.

Ibid.

Remarkable ſpeech of ſir Robert Walpole.

it be what it will, more than I ever did in any one thing that has happened to me in the courſe of my life." Geo. II. 1740.

This animated ſpeech was well heard, and had the greater effect, becauſe it came after the moſt groſs perſonal abuſe that had been thrown out againſt the author of it during the debate, and which took from it all air of inſolence. In one part of it, he paid a very delicate compliment to the tories, who had expreſſed their diſapprobation of the motion, which he all along repreſented to be the effect of perſonal malice and diſappointed ambition. At laſt the queſtion being called for, the motion was rejected by a majority of 290 againſt 106. The motion rejected by the commons.

So great, and at that time ſo unuſual, a majority, was far from being of any ſervice to the party, however it had favoured the perſon, of the miniſter. The wiſer part of the tories were glad of that opportunity to ſhew their allies, who had begun of late to affect a ſuperiority, how inſignificant they were when left to themſelves, even though joined, as they were, by many of the tories, who in their conduct had only conſulted their averſion to the miniſter. He, upon his ſucceſs, was certainly thrown too much off his guard, with regard to his management at the enſuing general election. He imagined, as appeared by the event, that the tories and the whigs in the oppoſition were more divided than they really were. Deception of the miniſter.

On the 8th of April his majeſty came to the houſe of peers, and ſending for the houſe of commons, he made a ſpeech to both houſes, in which was the following paragraph, too remarkable to be omitted. King's ſpeech to both houſes.

"The war which has ſince broke out, and been carried on in part of the Auſtrian dominions, and the various and extenſive claims which are publicly made on the late emperor's ſucceſſion, are new events that require the utmoſt care and attention, as they may involve all Europe in a bloody war, and in conſequence expoſe the dominions of ſuch princes, as ſhall take part in ſupport of the pragmatic ſanction to imminent and immediate danger. The queen of Hungary has already made a requiſition of the 12,000 men expreſsly ſtipulated by treaty; and thereupon I have demanded of the king of Denmark and of the king of Sweden as landgrave of Heſſe Caſſel, their reſpective bodies of troops, conſiſting of 6000 men each, to be in readineſs to march forthwith to the aſſiſtance of the queen of Hungary. I am alſo concerting ſuch farther meaſures, as may obviate and diſappoint all dangerous deſigns and attempts that may be forming or carried

on

Geo. II. 1740. on in favour of any unjuſt pretenſions to the prejudice of the houſe of Auſtria in this complicated and uncertain ſtate of things. Many incidents may ariſe, during the time when by reaſon of the approaching concluſion of this parliament, it may be impoſſible for me to have your advice and aſſiſtance, which may make it neceſſary for me to enter ſtill into larger expences for maintaining the pragmatic ſanction. In a conjuncture ſo critical, I have thought it proper to lay theſe important conſiderations before you, and to deſire the concurrence of my parliament in enabling me to contribute, in the moſt effectual manner, to the ſupport of the queen of Hungary; the preventing by all reaſonable means the ſubverſion of the houſe of Auſtria, and to the maintaining the liberties and the balance of power in Europe."

When the commons returned to their houſe, Mr. Clutterbuck made a very ſenſible recapitulation of the reaſons which had obliged his majeſty to make the neceſſary requiſitions, and likewiſe an application to parliament. But though the oppoſition had, for ſome time, both in ſpeeches and writings, been abuſing the miniſtry for not ſupporting the queen of Hungary, his motion for an addreſs to his majeſty was received with great coldneſs, if not diſguſt, by that party. Part of it run, "That in juſtice and vindication of the honour and dignity of the Britiſh crown, the houſe would effectually ſtand by and ſupport his majeſty againſt all inſults and attacks which any prince or power, in reſentment of the juſt meaſures which his majeſty has ſo wiſely taken, ſhall make upon any of his majeſty's territories or dominions, though not belonging to the crown of Great Britain; and further to aſſure his majeſty, that in any future events which may ariſe from the uncertain ſtate of things, and which may make it neceſſary for his majeſty to enter into ſtill larger expences, the houſe will enable his majeſty to contribute, in the moſt effectual manner, to the ſupport of the queen of Hungary, to the preventing, by all reaſonable means, the ſubverſion of the houſe of Auſtria, to the maintaining the pragmatic ſanction, and the liberties and balance of Europe."

Addreſs from the commons upon the ſame.

The addreſs of the houſe of peers was in the ſame terms, and his majeſty gave moſt gracious and affectionate anſwers to both. But though it was evident that his majeſty's electoral dominions could not ſuffer but in conſequence of his engagements as king of Great Britain, and though nothing could carry a better appearance abroad than the aſſurances he had received from parliament to defend them, yet the cry of oppoſition became now more violent than ever. But

The ſame in the houſe of peers.

that

that the reader may be able to judge of the propriety of the measures now entered into by his majesty, it is necessary to lay before him what was then passing in the continent of Europe. Geo. II. 1740.

Affairs of the continent.

Never were two princes worse paired by nature for the tranquillity of Europe, than his Prussian majesty and the queen of Hungary. Joined to the most obstinate tenaciousness of what he conceived to be his right, and the most determined resolution in pursuing it, his father had left him the richest prince, in ready money, in Europe, by which he was enabled at this time to keep on foot 100,000 men. Her Hungarian majesty, with equal tenaciousness and equal obstinacy, was more haughty, and little disposed to reason upon any point that ruffled the pride of that house to which she was the heiress, which pride she inherited to the utmost. She was then full both of spirits and resentment, active in her person, and engaging in her manners towards her own subjects; and indeed such had been the mismanagements of the court of Vienna towards the latter end of her father's reign, that she had now little or nothing else but the affections of her subjects to depend upon for opposing the numerous claimants to her territories that were daily starting up around her. It was with great difficulty that some of the coolest heads in her court prevailed with her and her husband to give a civil answer to the king of Prussia's proposals. In the answer she gave, she blamed him as being the beginner of her calamities, and reproached him as breaking his guaranty of the pragmatic sanction. She observed, that the consent to the diminution of her hereditary countries, was a very unlikely method of conciliating the friendship of Russia and the maritime powers. She civilly declined the services of his Prussian majesty in favour of her husband at the approaching election of emperor, which she said ought to be free, and according to the rules prescribed by the golden bull; and she shrewdly observed, that it was not usual for one prince to force another to accept of money, by carrying war into their dominions, for which reason she declined all the pecuniary assistance tendered her. Lastly, after some forced acknowledgments of the high value she set upon his Prussian majesty's friendship, she fairly told him, she would not consent to quit with one inch of Silesia, and exhorted him to withdraw his troops from thence, as the only means of preserving or restoring the tranquillity of the empire.

Comparison of the queen of Hungary and the king of Prussia.

Transactions between them.

It was with great concern the court of England understood this obstinacy of her Hungarian majesty, and they would gladly have made up the breach between her and Prussia upon

Conduct of the court of Britain.

Geo. II. 1740. the footing which the latter had propoſed. Nay, his Pruſſian majeſty even had ordered intimations to be made at the court of Britain, that he was ready to advance upon the terms he had offered. His Britannic majeſty now ſaw the diſagreeable dilemma into which he was brought, of either abandoning the intereſt of the queen of Hungary, (and thereby incurring the imputation of ſacrificing the pragmatic ſanction) or of dividing himſelf from a powerful ally and a near relation.

Diſtreſſes of the queen of Hungary.

He choſe the part which prudence and honour dictated. The elector of Bavaria, underhand prompted by France, who had promiſed to ſet him upon the Imperial throne, by this time had laid claim to the Auſtrian ſucceſſion, and publiſhed a declaration to that purpoſe. The king of Spain had entered a claim of the ſame kind, and was preparing to ſend an army into Italy to attack the Auſtrian dominions there; and the elector of Saxony had formed pretenſions of the ſame nature. Too many opportunities, therefore, preſented for his Britannic majeſty to ſupport the pragmatic ſanction, without embroiling himſelf particularly with his nephew the king of Pruſſia; and he had omitted no occaſion to give the queen of Hungary the ſtrongeſt aſſurances on that head.

Progreſs of the king of Pruſſia.

Mean while, the king of Pruſſia, from the ſtrain of the anſwer he had received from her Hungarian majeſty, plainly perceived that he had only his army to truſt to for the accompliſhment of his undertaking. It happened luckily for him, that the Sileſians, like the other hereditary ſubjects of Auſtria, complained of many grievances, and were, for the moſt part, proteſtants. This had proved a great incitement to his Pruſſian majeſty's attempt; and he thought it of the utmoſt conſequence to get poſſeſſion of the capital of Breſlau, where the ſtrength of his intereſt lay: but at the ſame time he determined, if poſſible, to enter it as a ſovereign, and not as an invader. Sending, therefore, a detachment of his army to ſeize Jablunca, which he was afterwards obliged to abandon, the prince of Anhalt Deſſau, made himſelf maſter of Glogaw, which he effected by one of the moſt fortunate and bold aſſaults of any we have in hiſtory. It was

He enters Breſlau.

the 22d of December when his Pruſſian majeſty entered Breſlau, where he was received not only without reſiſtance, but with joy. He was cautious enough on this occaſion to aſſure the Roman catholics of his protection, though at the ſame time he promoted, by all fair means, proteſtantiſm. Her Hungarian majeſty had at this juncture but very few forces in Sileſia; but they ſerved her well, and ſhe filled all Europe with remonſtrances againſt the conduct of the king of Pruſ-

ſia,

ſia; and called upon every guarantee of the pragmatic ſanc- Geo. II.
tion to ſtand by her in her day of diſtreſs. The king of 1740.
Pruſſia, on his ſide, was as little idle with his pen as with his ſword, and recriminations from the preſs daily paſſed between the two powers. His Pruſſian majeſty went even ſo far as to accuſe the court of Vienna of ſuborning aſſaſſins to murder him; to which charge her Hungarian majeſty and her conſort oppoſed their well known character of juſtice and magnanimity.

It was now the beginning of January, and count Neuperg, one of the beſt officers the queen of Hungary had, was appointed to command in Sileſia; but he had not yet been able to draw together the face of an army, or prevent his Pruſſian majeſty from attempting to bombard the town of Neiſs. This happened on the 7th of January, when the valour of the garriſon, and the ſeverity of the ſeaſon, obliged the Pruſſians to quit their attempt, and the king of Pruſſia with his brother returned for a ſhort time to Berlin, leaving felt marſhal count Schwerin to command his army in Sileſia, who obtained ſome advantages over count Brown, an Auſtrian general. By this time Neuperg had got together an army, and matters had been ſo aggravated between the two powers, that all hopes of an accommodation was over. His Pruſſian majeſty returned from Berlin, with an intention to reduce Neiſs and Brieg, the two places of the greateſt conſequence that held out againſt him in Sileſia; and Neuperg had orders from his court at all events to force him to a battle. The two armies were pretty equal as to numbers, being about 25,000 ſtrong each; and both being equally diſpoſed to come to a battle, they met at Molwitz, a village about a league to the northward of Neiſs. The battle was very deſperate. The Auſtrians were ſuperior in cavalry, but his Pruſſian majeſty had taken the precaution to intermingle with his horſe a body of grenadiers, who repaired that diſadvantage which might otherwiſe have proved fatal to him. The engagement laſted from two in the afternoon till about ſix, when the Auſtrians retired under the cannon of Neiſs, after loſing about 4000 men; nor was the loſs of the Pruſſians, notwithſtanding all the arts taken to conceal it, much leſs. A very unuſual number of general officers were killed and wounded on both ſides; and his Pruſſian majeſty that day gave a ſignal proof that the beſt courage is that which is acquired by practice and reaſon; for he gave way upon the firſt diſorder of his troops. This was the caſe at firſt with

Count Neuperg, general of the Auſtrians, his conduct.

Neiſs bombarded.

Battle of Molwitz.

Geo. II. 1741. with Cromwell, the duke of Marlborough, and ſome of the greateſt heroes of antiquity, who like his Pruſſian majeſty lived to riſe ſuperior not only to the calumny of enemies, but to the praiſes of friends.

not deciſive. Though the battle of Molwitz was by no means deciſive, yet the event of it was certainly favourable to his Pruſſian majeſty. It raiſed the character of his troops, and the diſcipline he obſerved; all Europe ſaw with aſtoniſhment a prince who had never been bred to arms, form an army that fought like veterans, and which had foiled one of the greateſt and moſt experienced generals in Europe. Nothing of conſequence followed immediately upon this battle. Both armies faced one another in their camps, and frequent ſkirmiſhes happened. But on the 20th of April, part of the Pruſſian army inveſted Brieg, a place of great importance in Sileſia, extremely well fortified and prepared for reſiſtance; notwithſtanding that, it was in a few days obliged to capitulate and ſurrender to his Pruſſian majeſty.

Conduct of the States-General. Amongſt the other powers the queen of Hungary called upon for their ſtipulated aſſiſtance, were the States-General, who were obliged, in the moſt ſolemn manner, to guaranty the pragmatic ſanction, and who were under the ſtrongeſt obligations to the houſe of Auſtria as well as to his Britannic majeſty. But the king of Pruſſia had foreſeen this application, and before he entered upon hoſtilities, had ſent them a kind of a menacing meſſage with regard to ſome pretenſions he had upon them as executors of king William's will, both in his own right, and in that of the prince of Orange; and to give thoſe menaces the greater effect, he had formed an army of 36,000 men under the prince of Anhault Deſſau, between Magdeburgh and Mechlenburgh.

Situation of the States-General. The operations of the ſtates, if they had been in earneſt to have ſupported the queen of Hungary, being thereby overawed, they were obliged to confine themſelves to repreſentations; and his Britannic majeſty, who had more intereſt than any other prince could have in making up the breach between the courts of Vienna and Berlin, ſtill continued his friendly offices for that purpoſe. He ordered his ambaſſador, the earl of Hyndford, to join with Ginckel, the Dutch ambaſſador, in preſenting an earneſt remonſtrance to the king of Pruſſia againſt his continuing his troops in Sileſia. Tho' his Pruſſian majeſty was inexorable on that head, and tho' he continued to urge, that his keeping poſſeſſion of Sileſia was no breach of the pragmatic ſanction; yet he ſhewed very ſtrong diſpoſitions for ſome time to preſerve that ſyſtem

of

of power in the empire which the houſe of Brandenburgh had ſo great a ſhare in forming. He repeated his offers of friendſhip and money to her Hungarian majeſty, and even wrote her a letter with his own hand; but all to no purpoſe. For the friendſhip of Great Britain ſerved only to make her more haughty: and having underſtood that the parliament had reſolved not only to pay the Heſſians and Danes, but alſo to ſend her 300,000l. beſides 200,000l. ſhe had already received, ſhe grew more intractable than ever; and her miniſtry formed a ſcheme of a general confederacy againſt the king of Pruſſia, in which his dominions were to be partitioned out, and his Britannic majeſty, as elector of Hanover, was to have his ſhare of them. It is more than probable that this project, for it went no farther, was, under a ſtrong ſeal of ſecrecy communicated to the court of England; but it is certain it met there with no approbation. His Pruſſian majeſty, however, through the imprudence of the Auſtrian miniſtry, came to the knowledge of this affair; and hearing nothing of it from England, he immediately concluded, or affected to conclude, that the meaſure had been entered into by his Britannic majeſty. It is eaſy for the reader to conceive the effects that this diſcovery had upon a prince of the king of Pruſſia's character. He inſtantly formed the deſign of uniting himſelf cloſely with France, and of joining to raiſe the elector of Bavaria to the throne of the empire.

Geo. II. 1741.

Haughtineſs of the queen of Hungary encreaſes.

April 14.

Propoſes a partition of the Pruſſian territories.

The queen of Hungary and the houſe of Auſtria muſt at this time have been abſolutely ruined, had not the French fleet been obliged to return in the miſerable condition it did from America, without any of the Spaniſh treaſure. Tho' France had long before this reſolved to make the elector of Bavaria emperor, ſhe found it impracticable without more money than ſhe could ſpare from her own warlike preparations. The czarina of Muſcovy had ſhown the warmeſt inclinations in favour of the queen of Hungary, and had even promiſed, if neceſſary, to march a body of 40,000 troops to her ſupport; and this had engaged France, by the force of money, and the promiſe of more, to ſtir up a party in Sweden to the madneſs of a war with Ruſſia. The duke of Bavaria, who was to be the tool of the French, was poor, and France alone was to ſupport him. He was looked upon to be a wiſe and a virtuous prince, when he confined himſelf to the government of his native dominions, but unequal to the buſtling ſcenes of a ſtruggle for a crown and empire into which he was to enter. Other electors of the empire were to be bribed for their vote; and the ſyſtem which his Pruſſian majeſty

Danger of the houſe of Auſtria diminiſhed thro' the diſappointment of France in the Weſt-Indies.

Geo. II. 1741. was obliged to follow, did not admit of his parting with any money but for his own armaments. Such was the ſtate of affairs when on the 25th of April his majeſty prorogued the parliament, which was afterwards diſſolved, after thanking them for the firmneſs they had ſhown in the ſupport of Auſtria, for maintaining the national credit, and for ſtrengthening the hands of his government.

Parliament riſes.

Great charges of England at this time.

It is certain from what has already appeared, that the military preparations by ſea and land this year coſt the nation immenſe ſums. The eſtimate of the Daniſh troops, beſides the pay of general officers, for forage, waggon-money, and recruit money, as alſo for bread waggons, amounted to 139,985l. 13s 5½d. That of the Heſſian troops, beſides the above particulars, amounted to 155,766l. 8s. 0¼. It is here proper to acquaint the reader, that the treaty for taking the Heſſians into pay, had been concluded with his Swediſh majeſty on the 9th of May 1740, and had been laid before the houſe of commons, and approved of the 5th of December following. The charge of the guards, garriſons, and the other land forces in Great Britain, including the land forces for lord Cathcart's expedition for the year 1741, amounted to 1,007,241l. 7s. 6d. Seven regiments of foot, amounting to 5705 men, were to be raiſed for the ſervice of the year 1741, the eſtimate of which amounted to 116,322l. 4s. 2d. Four regiments of marines, amounting to 4620 men, to be raiſed for the ſervice of the ſame year, which amounted to 90,201l. 10s. All thoſe, and many other, expences were chearfully born by the nation for a princeſs who ſeemed determined either to riſe ſuperior to all her enemies, or if ſhe ſhould fall, to pull Great Britain after her in her ruins.

Ferment of the general elections.

Immediately upon the riſing of the parliament, the nation was in the utmoſt ferment. The miniſter, as has been hinted, relying too much upon the ſuperiority which had appeared in his favour upon the motion that had been made againſt him, and imagining that the tories and the old whigs, having ſo lately ſplit upon that ſubject, could not coaleſce time enough to oppoſe him, had been unaccountably negligent in exerting his intereſt for a new parliament. But he was deceived; for though the tories, who had left the whigs upon that occaſion, acted upon principle, yet the heads of the whigs were more pliable, and very readily forgetting all that was paſſed, entered into every ſcheme of oppoſition that could diſtreſs the miniſter. The elections of London and Weſtminſter were amongſt the firſt which came on in the nation, and the eyes of the public were ſoon fixed upon a

moſt

moſt extraordinary ſcene in the very city where the court had its reſidence, and was ſuppoſed to have its greateſt influence, that of Weſtminſter. It had been uſual of late for the miniſter to name two members, who were always returned without the leaſt oppoſition. The members for Weſtminſter in the late parliament had been ſir Charles Wager and lord Sundon, of the kingdom of Ireland, one of the lords of the treaſury, an unamiable and unpopular man, bred all his life to office-buſineſs and to a dependence upon power. It was never doubted by the miniſter or the candidates but the election would go, as uſual, unqueſtioned and unoppoſed; but ſome private inhabitants of Weſtminſter, though otherwiſe of no great conſideration or weight, found means to throw in a ſpark which fired the train that had been ſo artfully laid againſt the miniſter, by naming admiral Vernon, who was then at the very pinnacle of popularity, for one of their candidates, and Mr. Edwin, a private gentleman of fortune, for the other. This oppoſition, though at firſt deſpiſed, became formidable, and the court party in the city, in order to take off, at leaſt, one member from the oppoſition, named Vernon a candidate for London, along with ſir Edward Bellamy, ſir John Barnard, and Mr. Perry; the other liſt being ſir Daniel Lambert (who had ſucceeded to the chair by the death of Mr. Parſons, who died in his mayorality) ſir John Barnard, ſir Robert Godſchall, and alderman Heathcoat. The court party, however, loſing their aim in this, it gave double ſpirit to the oppoſition in Weſtminſter; and ſir Charles Wager being called off the huſtings to attend his majeſty to Holland, the management of the election was left in the hands of ignorant veſtrymen and violent juſtices. Upon this, the oppoſite party, who were ſenſible of their inferiority of numbers, puſhed on the election, but with ſo much tumult, that the remaining candidate was prevailed upon to order the books to be ſhut up, a party of the guards to attend, and himſelf and ſir Charles Wager to be returned by the high bailiff, while the military power ſurrounded the huſtings, which was in the portico of Covent-Garden church. This exaſperated the people into ſuch a rage, that the guards themſelves were pelted, and it was with difficulty the remaining candidate eſcaped with his life.

Geo. II. 1741.

Account of thoſe of Weſtminſter,

and of London.

It is incredible what a ſpirit the example of the oppoſition in Weſtminſter diffuſed all over the kingdom, and no art or power of writing was wanting to ſupport it. In ſhort, a very few weeks made it evident, that at the meeting of next

Their great effects.

Geo. II. 1741. parliament, the miniſter could not boaſt of twenty ſure votes in his favour.

The king goes abroad.

The ſtate of affairs upon the continent having this year rendered his majeſty's going to Germany indiſpenſible, he nominated the following perſons to be lords juſtices in his abſence.

Names of the regency.

John lord archbiſhop of Canterbury.
Philip lord Hardwick, lord chancellor.
Spencer earl of Wilmington, lord preſident.
John lord Hervy, lord privy-ſeal.
Lionel Cranfield duke of Dorſet, lord ſteward.
Charles duke of Grafton, lord chamberlain.
Charles duke of Richmond, maſter of the horſe.
Charles duke of Bolton.
William duke of Devonſhire, lord lieut. of Ireland.
John duke of Montagu, maſter gen. of the ordnance.
Thomas duke of Newcaſtle, one of his majeſty's principal ſecretaries of ſtate.
Henry earl of Pembroke, groom of the ſtole.
Archibald earl of Ilay.
William lord Harrington, one of his majeſty's principal ſecretaries of ſtate.
Sir Robert Walpole, firſt commiſſioner of the treaſury. And,
Sir Charles Wager, knt. firſt commiſſioner of the admiralty.

The great events and negotiations in Europe at this time, were ſo much determined by the operations of the Engliſh forces in America, that it is now neceſſary to attend them. It cannot be doubted that delays had happened in reinforcing admiral Vernon, ſo as to have enabled him to have undertaken ſomewhat of conſequence after demoliſhing the fort at the Chagre. But though thoſe delays were all of them charged upon the miniſter by his enemies, and by the admiral himſelf, yet it is certain that they were occaſioned by the difficulty which the admiralty found in equipping the ſtrong ſquadron ſent out with lord Cathcart; and when that difficulty was ſurmounted, the obſtructions of the winds and weather had occaſioned freſh delays. During all this time, the admiral had been very active againſt the enemy, ſo far as his force enabled him. But when he was joined by the ſhips and forces under ſir Chaloner Ogle and brigadier Wentworth, he ſaw himſelf at the head of the moſt powerful armament that had ever been ſeen upon the coaſt of America. As there was an abſolute neceſſity for a third diviſion of the fleet, captain Leſtock,

Reaſon of the delays in the American expedition.

Leſtock, one of the beſt officers of the navy, was appointed by admiral Vernon to command it as commodore, with a captain under him; and a council of war, according to his majeſty's inſtructions, was immediately held, in order to determine how to proceed. Geo. II. 1741.

Council of war in Jamaica.

It was compoſed of admiral Vernon, ſir Chaloner Ogle, general Wentworth, general Guiſe, and Trelawny governor of Jamaica. Mr. Vernon's friends in England both expected and wiſhed that the firſt operation of this formidable armament had been directed againſt the Havannah. But they were ignorant that the admiral's ruling paſſion (as has been hinted) was a hatred of France. He made uſe of his great authority rather to dictate than to conſult; and being under no inſtructions, he carried it, that the whole fleet ſhould ſail to windward to obſerve the motions of the French ſquadron under the marquis d'Antin, and that captain Dandridge ſhould be ſent before in the Wolf ſloop, to procure intelligence.

Letter from Mr. Pulteny to Vernon, Aug. 17, 1740.

Every difficulty being ſurmounted, and the ſailors and ſoldiers, through the great care that was taken to keep them from drinking ſpirituous liquors, being in excellent order, the whole fleet, to the amount of about 115 ſhips, ſailed from Jamaica, with 15,000 ſailors and about 12,000 land forces, including the American regiments, on board [a]. The reader will, in the notes, ſee the line of battle.

Force of the armament which ſet ſail,

On

[a] Line of battle.

The Princeſs Amelia to lead with the ſtarboard, and the Suffolk with the larboard tacks aboard.

Rear admiral of the Blue ſir Chaloner Ogle.

Frigates, &c.	Rates.	Ships.	Commanders.	Men.	Gu.
Experiment.	3	Princeſs Amel.	Hemington.	600	80
Sheerneſs.	4	Windſor.	Berkley.	400	60
Veſuvius.	4	York.	Cotes.	400	60
Terrible bomb.	3	Norfolk.	Graves.	600	80
Phaæton.					
Goodly.	3	Ruſſel.	Sir Chal. Ogle. / Capt. Norris.	615	80
	3	Shrewſbury.	Townſhend.	600	80
	4	Rippon.	Jolley.	400	60
	4	Litchfield.	Cleland.	400	60
	4	Jerſey.	Laurence.	400	60
	4	Tilbury.	Long.	400	60

Vice

Geo. II. 1741.

On the 8th of February they were alarmed by captain Dandridge, who informed them, that all the French fleet was at Port Lewis: but it was ſoon diſcovered, that the captain had miſtaken merchant ſhips for men of war, and that the French ſquadron under d'Antin had, before that, been forced to return to Europe. This being diſcovered, another council of war was held, and it was reſolved to take in wood and water at Iros, Tiberon, and Dona Maria bays, and from thence to proceed directly to Carthagena. While thoſe orders were executing, captain, afterwards admiral, Warren joined the grand fleet; and upon the intelligence he brought, it was reſolved in the council of war to attack Carthagena with all their forces, both by ſea and land.

to Carthagena.

The fleet, which by various acceſſions, conſiſted now of 124 ſhips, ſailed on the 25th of February from Iros or Iriſh bay, and on the 4th of March in the evening, anchored in Playa Grande, to windward of the town of Carthagena; which ſtands on the Spaniſh continent, almoſt directly ſouth of Jamaica, about 110 leagues N. E. of Panama; and when the Britiſh forces now attacked it, it was undoubtedly the ſtrongeſt and beſt fortified place of any that belonged to

Vice admiral of the Blue Edward Vernon, eſq;

Frigates, &c.	Rates.	Ships.	Commanders.	Men.	Gu.
Squirrel.	3	Orford.	Ld. Aug Fitzroy.	480	70
Shoreham.	4	Princeſs Louiſa.	Stapylton.	400	60
Eleanor.	4	Worceſter.	Perry Mayne.	400	60
Sea Horſe.	3	Chicheſter.	Robert Trevor.	600	80
Strumbulo. Succeſs.	3	Prſs. Caroline.	V. A. Vernon. Capt. Watſon.	620	80
Vulcan.	3	Torbay.	Gaſcoigne.	600	80
Cumberland.	4	Strafford.	Thomas Trevor.	400	60
Alderney bomb.	4	Weymouth.	Knowles.	400	60
Pompey.	4	Deptford.	Moſtyn.	400	60
Brig tender.	3	Burford.	Griffin.	480	70

Commodore Leſtock's diviſion.

	4	Defiance.	John Trevor.	400	60
	4	Dunkirk.	Cooper.	400	60
Aſtrea.	4	Lion.	Cotterel.	400	60
Wolf ſloop.	3	Pr. Frederick.	Ld. A. Beauclerk.	480	70
Ætna. Fire-Brand.	3	Boyne.	Com. Leſtock. Capt. Colby.	600	80
Virgin Queen.	3	Hampt. Court.	Dent.	480	70
	4	Falmouth.	Douglas.	300	50
	4	Montagu.	Chambers.	400	60
	3	Suffolk.	Davers.	480	70

Spain

Spain in America. As it was no ſecret, that the Britiſh miniſtry intended, from the beginning of the war, that it ſhould be attacked, the court of Spain had luckily found means to render it much ſtronger than ever. De Torres, the Spaniſh admiral, and don Blas de Leſo, a ſea-officer of abilities, had omitted nothing that could render the place impregnable on the quarter where Vernon intended it ſhould be attacked; and it had, at that time, a garriſon of near 4000 ſoldiers, beſides negroes and Indians. The Britiſh officers ſoon perceived, that it was, by reaſon of a great ſurff, impracticable to batter it from the ſea; they therefore reſolved to attempt it, by forcing into the harbour, and battering it from thence. This was a hazardous undertaking. The entrance to the harbour lay to the Weſt of the city, was called Bocca Chica, and was formed by two peninſula's, which incloſed the bay, forming the harbour, and both of them were ſtrongly fortified by caſtles, or batteries. The peninſula, called Tierra Bomba, was defended by a regular ſquare, called St. Lewis, or Bocca Chica fort, which mounted 82 guns and 2 mortars, but the glacis and the counterſcarp were yet unfiniſhed. Beſides this fortification, there was the fort of St. Philip, of 7 guns, that of St. Jago, which mounted 15 guns, and Chamba battery of 4 guns, which ſerved as redoubts to the principal caſtle. The other peninſula, which formed the entrance into the harbour, was called the Barradera, and had for its defence a faſcine battery of 15 guns, and another of 4 guns, with fort St. Joſeph, which was built upon a ſmall flat iſland, and mounted 21 guns. From St. Joſeph to Bocca Chica caſtle run a boom and cables, faſtened at each end with three large anchors; and within the boom were moored four men of war, the Galicia, which carried the Spaniſh admiral, the Africa, and the St. Carlos, all of them 60 gun ſhips, and the St. Philip, of 70. Within this paſſage, lay the harbour of Carthagena, or rather a lake, leading to the harbour, which narrowed in approaching to the town, between which and where the great lake or baſon ends, were two other peninſula's, forming the mouth of an interior harbour, within which the town of Carthagena lay. Upon one of the laſt-mentioned peninſula's, about eight miles up the harbour, was a regular ſquare caſtle, called Caſtillo Grande, with 4 ſtrong baſtions, a wet ditch, and glacis towards the land, well fortified towards the ſea, and actually mounting 59 guns, though capable of mounting 61. Upon the other interior peninſula, was a horſhoe battery, called Mancinilla, and the paſſage between theſe peninſula's, though naturally difficult

Geo. II. 1741.

Deſcription of that harbour.

Geo. II. 1741.

cult by the ſhallowneſs of the water, was rendered in a manner inacceſſible, being choaked up by ſhips ſunk in it, to prevent the approach of the Britiſh fleet. About three miles farther up the harbour lay Carthagena and its ſuburbs; well ſecured with ſtrong baſtions towards the land, ſurrounded with lakes and moraſſes, and fortified with 300 pieces of cannon; while at the ſame time it was impregnable by cannon from ſhips, by reaſon of the ſhallowneſs of the water towards the harbour. To the ſouth of the city lay the caſtle of St. Lazare, upon an eminence, over-topping the city, while itſelf was as much over-topped by another eminence, called St. Madre de Poupa, which commanded the caſtle, as the caſtle, which was a ſquare of fifty foot, and fortified with a few guns, did the city.

Strength of the town.

Captain Knowles gave the admiral very exact intelligence of all he could learn, relating to the ſtrength and ſituation of the place; and the attack of the forts and batteries was committed to Sir Chaloner Ogle, who had the beſt pilots and intelligence that could be procured for making it ſucceſsful. He was directed by Mr. Vernon to proceed with his whole diviſion of ſhips in the line of battle, to demoliſh the forts and batteries, and to ſcoure all the country between them, ſo as to ſecure a deſcent for the forces in the moſt convenient parts of it between forts St. Philip and Chamba battery. This was meant to divide the Spaniards, that the troops might make a deſcent at both places, and expoſe the enemy to the fire of the ſhips. He was alſo particularly directed not to ſuffer any imprudent or haſty firing from the ſhips, and to endeavour to convince the men, that ſuch folly only ſerves to embolden an enemy, inſtead of diſcouraging him. And the rear-admiral was likewiſe in his orders in writing to aſſign to each particular captain the part he was to take, and the orders he was to execute, and alſo to order his reſpective captains to acquaint their ſhips companies, that the whole and all the booty to be made by land was graciouſly granted by his Britannic majeſty, to be diſtributed among his ſea and land-officers, who had accordingly met, and regulated the diſtribution thereof, and had allotted a double ſhare to any non-commiſſioned officer, or warrant officer, or private man, that might happen to be wounded in the ſervice; and the rear-admiral was further directed to promiſe a further reward from the vice-admiral out of his ſhare, to all who ſhould eminently diſtinguiſh themſelves by any extraordinary actions of prudence and bravery, beſides a certain advancement, proportionable to their

Diſpoſitions to force the entrance into the harbour,

their zeal and reſolution, exerted on ſo ſignal an occaſion, for the honour of the crown, and the future proſperity of their country. Geo. II. 1741.

On the 9th of February the attack began on the forts and batteries; on Tierra Bamba by ſir Chaloner Ogle, who was ſeconded by Mr. Vernon and the tranſports, while Mr. Leſtock was left at anchor with his diviſion. The little fort of Chamba was ſoon ſilenced, the faſcine battery had no guns mounted, and the Norfolk, Ruſſel, and Shrewſbury ſoon drove the enemy from the forts St. Jago and St. Philip; upon which, 500 grenadiers, commanded by colonel Cochran, took poſſeſſion of them. This advantage gave an opportunity for general Wentworth, brigadier Guiſe, and colonel Wolfe, to land the regiments of Harriſon and Wentworth, without oppoſition, and after that, the artillery, ordnance, ſtores, tents, and baggage were landed. Mean while, the Shrewſbury, commanded by captain Townſhend, ſuffered ſeverely from the ſhips that lay acroſs the harbour; and from the faſcine batteries, with the forts Bocca Chica, and St. Joſeph, who fired upon her with about 160 guns, which ſhe bore with great intrepidity, till night. A faſcine battery, from the Barradera ſide of the harbour, was now opened, and general Wentworth, to whom Vernon began to entertain a mortal antipathy, on account of his inactivity, complaining, that it gauled his men, it was bravely ſilenced by 300 ſailors, under captain Boſcawen, and 200 ſoldiers, who all of them landed in boats, under the command of captain Watſon. This gallant action left the ſoldiers, who had landed, under general Wentworth, at liberty to work upon their grand battery, which was covered by a wood, and was deſigned to play upon Bocca Chica caſtle, to keep pace with the ſucceſſes of the fleet upon the Barradera ſide of the harbour. But Mr. Vernon, though he lent the ſoldiers 300 of his ſeamen, complained that the grand battery, after eight days working upon it, was but little advanced, and that neither Wentworth, nor any of his engineers, had the ſmalleſt idea of the ſervice they were about. There ſeems to have been ſome truth in this complaint; for it is certain, that till the ſhips came to their aſſiſtance, the land-forces made very little progreſs in their battery againſt Bocca Chica. Leſtock, to whom that ſervice was aſſigned, performed it bravely, being ſupported by ſir Chaloner Ogle. The Spaniards, on the other hand, taking advantage of the inexperience and backwardneſs of the land-forces, kept a dreadful fire from the caſtle as well as from their ſhips at the mouth of the harbour, and from

which is attacked.

Geo. II. 1741.

from the Barradera battery which they had repaired. In this attack, the brave lord Aubrey Beauclerc, brother to the duke of St. Albans, and captain of the Prince Frederic, was killed, to the regret of the whole nation, as well as of his own relations. The ſhips, however, made a breach in Bocca Chica caſtle, and the ſeamen landing once more, demoliſhed the Barradera battery. On the 24th, general Wentworth, who all along gave the utmoſt proofs of his being unequal to his command, reſolved to attempt the breach that had been made in the caſtle, and being very briſkly ſeconded from the ſhips, the Spaniſh garriſon was driven out of that fort and that of St. Joſeph, which captain Knowles took poſſeſſion of; while the Spaniards in their ſhips ſunk two, and burnt one, but could not prevent the Galicia, which was their admiral's ſhip, from falling into the hands of the Engliſh, who took in her two officers, and ſixty ſeamen, the reſt finding means to eſcape.

Lord Aubrey Beauclerc killed.

The forts of Bocca Chica and St. Joſeph, with a Spaniſh man of war, taken.

The Engliſh, upon viewing the ſtrength of Bocca Chica and the forts they had ſeized, could ſcarcely believe their own good fortune. Their loſs was, upon the whole, about 400 men, amongſt whom were colonel Douglas, colonel Watſon, of the train, and captain Moor, the chief engineer, whoſe loſs was irreparable to the troops. The entrance into the harbour was thought, conſidering the precautions that had been taken, to be inacceſſible, the enemy having above two hundred pieces of cannon to play from forts, batteries, and ſhips, in its defence. Even when all theſe were ſilenced, the admiral found great difficulty to enter it, on account of the ſhip that was burning on the one hand, and the two ſhips that were ſunk on the other. He, however, at laſt, maſtered all difficulties of getting into the harbour, and ſilenced or nailed up ſome of the enemies batteries; and then lay to before Caſtillo Grande, which the enemy likewiſe abandoned, and which was taken poſſeſſion of by captain Knowles, the admiral's engineer. The conqueſt of Caſtillo Grande facilitated the landing the troops, who, by this time, were reimbarked, by bringing them within a league of the town, inſtead of three leagues, which they muſt have had to march, had not that fort been taken.

Loſs of the Engliſh.

Caſtillo Grande taken by them.

Thus far every thing had gone more proſperouſly, either than the admiral or the general had apprehended; whereupon, tho' the enemy had ſunk two ſixty gun ſhips, to prevent the Engliſh fleet from coming near enough for battering the town in breach, they diſpatched captain Laws, commander of the Spence ſloop,

sloop, with letters to the duke of Newcastle, which carried with them all the air of an absolute assurance of taking Carthagena. But they were fatally mistaken. For though they had by means of the brave seamen, cleared their way through the sunk vessels, yet they found that the fort St. Lazare must be taken, before they could attack the main body of the place. By this time, the admiral had conceived a hearty contempt for the general, and the general an invincible hatred for the admiral, who upbraided him for his inactivity, after the troops had, without any material loss, disembarked, under the fire of the ships, and for giving the enemy time for compleating the fortifications they had begun at the foot of the hill, on which the fort stood. The general likewise committed an unpardonable oversight, in not cutting off the communication between the town and the adjacent country, by which the place was daily supplied with provisions. The truth is, the land-forces had now no engineers of skill and experience to conduct their works; and though they had seized La Popa, which lies above fort Lazare, and from thence could discern all the operations of the Spaniards, yet the general unaccountably lost time in improving the pannic of the enemy, who had now made excellent dispositions for a defence. The general, on the other hand, blamed the admiral for his slowness in landing the tents, stores, and artillery of the army, which had obliged the troops to lie exposed for three nights, to all the inclemency of the climate and the season, which greatly reduced their numbers. A detachment, however, of lord James Cavendish's regiment, and that of Bland, which remained on board the ships, being landed, and having joined the general on the 8th, it was resolved in a council of war to attack the castle and trenches of fort St. Lazare, without waiting for the raising a battery to make a breach. Had this resolution been taken immediately upon their landing, it might have been successful. But the enemy were now prepared to receive them; and no precautions were taken for the security of the troops. The woolpacks and scaling ladders were left in the rear, with the grenado shells. The general, instead of beginning, as he ought to have done, the attack in the night, waited till it was almost broad day; the guides, who were to conduct the troops, were deserters; some of them were killed, and the others, either through ignorance or design, led them to the very strongest place of the fortifications.

Geo. II. 1741.

Difference between the general and the admiral.

They blame each other.

Great oversights committed.

Officers of experience have been heard to say, that veteran troops would have absolutely refused to have gone upon so despe-

Bravery of the English troops.

Geo. II. 1741.

deſperate and ill-concerted ſervice. But theſe were Britons, and being new to the field, they eagerly coveted an opportunity of giving proofs of their courage. Twelve hundred men paraded under general Guiſe on the ſtrand, where they formed, and began the attack, by marching up the hill to drive the enemy from their entrenchments. This was attempted with inconceivable intrepidity, and though colonel Grant, who headed the firſt who mounted the hill was miſled, from the practicable aſcent to one that was ſteep and inconvenient, yet he actually had gained the ſummit when he received his death's wound. The Spaniards now, amazed at the uſeleſs courage of the Engliſh, ſecurely plied them with all the engines of death, with which they made a moſt dreadful havock, while the Engliſh were, from the inacceſſible ſituation of the enemy, incapable of acting any part, but that of expoſing their perſons to deliberate ſlaughter. Amidſt all diſcouragements, however, they ſtill maintained their ground, till they had leiſure to reflect, that in their preſent condition, deſtitute of ladders, cannon, and engineers, they could not have mounted the walls, had there been no enemy to oppoſe them. Courage, therefore, in ſuch a ſituation, being not only uſeleſs, but pernicious, they at laſt were prevailed upon by the more conſiderate part of their officers, to retreat, with the loſs of 600 of the flower of their army.

who attack fort St. Lazare,

and are repulſed with great loſs;

Admiral Vernon might be ſaid to have enjoyed this carnage, for it was no other. He upbraided the general for not acquainting him with his intention, that he might have ſent him ſeamen to aſſiſt in ſcaling the walls. He blamed the land officers for the only right ſtep they took in the whole attempt, which was, in bringing their men off from the attack; and with a malignant pleaſure he ſaw the enemy on their walls diverting themſelves with the ineffectual ladders, woolpacks, ſhovels, and other implements of war, which the Engliſh had no opportunity of employing, and no time to bring off. To preſerve appearances, however, as ſoon as he ſaw the attempt irretrievably ruined, he ſent the boats of the fleet, full of men, well armed, to the general's aſſiſtance; but all was to no purpoſe. The officers of the land forces ſaw the madneſs of continuing an attempt that was without a plan, and without a meaning, and ſullenly retired to their camp, which was but a ſhort mile diſtant from the fort, before which the flower of their troops had been ſacrificed.

and they retire to their camp.

Unaccountable conduct of the admiral.

The conduct of Vernon upon that occaſion, is to this day incomprehenſible. It gave riſe to ſome very unfavourable reports,

reports, not only amongſt the landmen, but the ſeamen. The latter, undoubtedly, as well as the former, had formed mighty proſpects from the plunder of the immenſe treaſures, which they were told, were in Carthagena; and it was extremely obvious to the officers of both ſervices, that if he could have had the magnanimity to have ſacrificed his private reſentment, however provoked, to the glory and intereſt of his country, the place might have been carried. Wentworth, though unequal to his command, was far from being deficient in point of courage, and his intentions were honeſt; but Vernon, to the ſovereign contempt he had for him, joined the crafty policy of keeping his own conduct free from all legal imputation. He had remonſtrated, that the place could only be taken by the land forces; but to preſerve himſelf void of blame, underſtanding that Wentworth had intimated that it might be battered from the harbour, he fitted up the Glorioſa, the ſame ſhip he had taken from the Spaniards, in the form of a floating battery, and carrying her as near as poſſible, (as he gave out) to the walls of Carthagena, captain Hore, to whom he aſſigned that command, began to batter them, but without making any impreſſion upon the walls. It was, however, acknowledged, that this moving battery did great damage to the houſes of the town, as did the ſhells from the bomb-ketches; and it is difficult to account for the reaſon, why, even that circumſtance was not improved, as nothing is more common, than for the demolition of houſes, and the blowing up of magazines, which was the caſe here, to facilitate the reduction of the town, and yet inſtead of continuing to ply the town in that manner, Mr. Vernon ordered the Gallicia to be drawn off, for fear of her ſinking. But officers of experience in the ſervice have been known to affirm, that though the water was too ſhallow in the place where the Gallicia was moored, to do any conſiderable execution againſt the town-walls, yet that, towards the left, there was a depth of water, ſufficient to have received, within piſtol-ſhot of the walls, four or five of his largeſt ſhips, to have lain with their broadſides againſt the town.

Geo. II. 1741.

He attempts to batter Carthagena from the Spaniſh ſhip he had taken.

Obſervation.

An enemy, far more dreadful than the Spaniards, began now to aſſail the Engliſh army. Sickneſs raged amongſt their troops to a degree of peſtilence, and according to their general's own account, in leſs than two days, they were reduced from 6,645, to 3,200, of whom 1200 were Americans, and unfit for ſervice. This alarming affliction united the general council of war in reſolving, on the 23d and 24th of April, "to return to Jamaica, on account

Great havock of the Engliſh, through ſickneſs.

Geo. II. 1741.

of the ſickneſs of the army." Before the fleet, however, ſet ſail, they took all the maſts, cables, and anchors, they could recover, out of the Spaniſh ſunk ſhips, compleated the demolition of Caſtillo Grande, Bocco Chica, St. Joſeph, and the other Spaniſh forts they had taken, and demoliſhed the harbour, with all the lime-kilns, carrying off all the lime, and making the proper diſpoſitions for the ſafety of the fleet, it got ſafe into Port-Royal harbour.

The fleet returns to Jamaica.

Conſequences of this expedition.

Thus, to the aſtoniſhment of all Europe, ended more unfortunately than inglorioufly, the greateſt attempt that ever had been made in the new world, whether we conſider the conſequence of its ſucceſs, the expence of the undertaking, or the ſtrength of the armaments, both by ſea and land. During its dependance, the operations of all the courts upon the continent were in a manner ſuſpended; for upon the firſt account that arrived in England, France gave up the Spaniſh monarchy in America for loſt. It appears from Mr. Van Hoey's letters, that the French were filled with the moſt dreadful apprehenſions, and that their embaſſador at the Hague had orders to repreſent the progreſs of the Engliſh in America, as the common cauſe of all Europe, which muſt be ruined, ſhould they ſucceed.

June 23, 1741.

Joy of the people on the firſt news of Vernon's ſucceſs.

Upon the news of the firſt ſucceſſes arriving in England by captain Laws, the people were thrown almoſt into frenzy. They were then in the middle of their general elections, and not only Weſtminſter and London, but many other places had propoſed themſelves the honour of having admiral Vernon for their candidate. Inſtead of any expreſſions of duty and regard to a government, that had ſupported him at ſo immenſe an expence, the enemies of the miniſter every where broke out into the moſt furious invectives againſt him, as if the ſucceſſes of Vernon had been againſt ſir Robert Walpole, and not againſt the Spaniards. His majeſty was then at Hanover, deeply engaged in the cauſe of the liberties of Europe, and the duke of Newcaſtle immediately diſpatched a meſſenger to him, with the agreeable news.

Conduct of the duke of Newcaſtle vindicated.

It was in a great meaſure owing to that nobleman's intereſt in the cabinet, that the ſeat of war had been transferred to Spaniſh America, and that it had been ſo vigorouſly ſupported on the part of England. Though in one of the firſt departments of the government, he had never ſuffered the ſentiments of others, whatever they might be, to warp him in his maſter's and his country's glory; and he was, upon this occaſion, ſo far from entering into any of thoſe little animoſities, charged upon the adminiſtration againſt Mr. Vernon.

Vernon, that becauſe he thought him a proper perſon to be employed in the public ſervice, in the cloſe of a private letter he wrote him in anſwer to the letters brought by captain Laws, he has the following remarkable expreſſions: Geo. II. 1741.

"May I wiſh, for the honour of my country, for the ſucceſs of his majeſty's arms, and for the perfecting the great work you have ſo gloriouſly begun, of reducing the Spaniards in the Weſt-Indies, that you would not think of coming home, and leaving your command there; which without the leaſt imputation upon any body, cannot be ſupplied by any one on whom his majeſty, the nation, and all the king's friends and ſervants can have an equal dependence." May 24, 1741.

Was this the language of a miniſter who wanted to cramp the operations of the war? Even the fatal event of the expedition did not damp the ardor of the adminiſtration to ſupport Vernon. Nay, without regarding the opinion of the firſt lord of the admiralty, who was by no means clear upon that head, a reſolution was taken at the council-board to ſend him over 2000 new troops; and he was, in the mean while, ſupplied by dropping ſhips and ſloops of war with all the ſtores and ammunition his utmoſt wiſhes demanded. It was the 19th of May before his fleet got into Port Royal harbour in Jamaica. The epidemical ſickneſſes by this time had carried off not only the greateſt part of the troops, but had made great havock amongſt the crews that had ſailed from England with ſir Chaloner Ogle. Letter from Wager to Vernon, June 21, 1741. Sickneſs amongſt the ſailors.

To do Mr. Vernon juſtice, he acted on this occaſion as the father of the fleet; and it was in a great meaſure owing to the care he had of their proviſions, and of keeping them temperate, that it was not abſolutely ruined. Of eight 80 gun ſhips, he ſent ſeven home to England under commodore Leſtock, with four other ſhips of war and ſeveral frigates, with all the ſick land-officers, and all the ſoldiers who had been rendered unfit for ſervice, and the homeward-bound fleet of merchantmen. He was in great hopes of leave to return home to reap the fruits of his popularity; but perceiving from the duke of Newcaſtle's letter that it was expected he ſhould remain in America to execute other plans, he ſubmitted. Great care taken of them by the admiral.

Sir Charles Wager had always been of opinion that St. Jago de Cuba ſhould be attacked; and he thought that Mr. Vernon, with the help of governor Trelawney's independent companies, might take it; and after the miſcarriage of the attempt upon Carthagena, he repeated his opinion to Mr. Vernon in letters on that head; and it was likewiſe the ſenſe Expedition to St. Jago de Cuba. Ditto, March 14, 1740-41.

Geo. II. 1741. of the adminiſtration at home that it ſhould be a tempted. His majeſty, in his inſtructions to the admiral, had indeed only mentioned the Havannah, La Vera Cruz, Mexico, Carthagena, and Panama, to be attacked. But by the miſcarriage before Carthagena, the Engliſh were too weak to attempt any other place; beſides, de Torres, the Spaniſh admiral, was then with a ſquadron, equal to that which remained with Vernon, in the harbour of the Havannah. St. Jago de Cuba, therefore, upon the ſame iſland, was the only object they could then proceed againſt; as the taking it would ſecure Jamaica and the Britiſh trade in thoſe ſeas, and preſerve a communication with Jamaica for ſupplies, and likewiſe cut off the correſpondence between the Spaniards and Hiſpaniola.

Ditto, June 21, 1741.

Reſolution of a general council of war.

All thoſe conſiderations coming under the deliberation of a council of war at Jamaica, conſiſting of the admirals Vernon and Ogle, the generals Wentworth and Guiſe, and governor Trelawney, the four former agreed upon the expedition, but the latter diſſented; from a jealouſy, it is probable, of his loſing his importance, ſhould Cuba be conquered. The land-forces were, by this time, reduced under 3000 men, but the people of Jamaica, who were intent upon conquering St. Jago, put 1000 of the beſt diſciplined blacks the iſland afforded on board the fleet, which ſet ſail, to the number of nine ſhips of the line beſides tranſports and ſtore-ſhips, and on the 18th of July they got into Walthenham harbour.

Cumberland harbour.

The Engliſh, who ſcarcely knew this harbour but by name, were amazed at finding it one of the moſt ſpacious and ſafe in the world; perfectly healthy, and ſecure againſt all hurricanes. The admiral immediately gave it the name of Cumberland harbour, in compliment to his royal highneſs the duke.

Intelligence concerning St. Jago.

The iſland of Cuba, upon the whole, was of all the Spaniſh iſlands the moſt deſireable for the Engliſh to poſſeſs; and the taking of the Havannah being impracticable, St. Jago de Cuba, its principal town on the eaſtern part of the iſland, and the receptacle of their pyrates, if taken, made the Engliſh maſters of the Windward Paſſage. The admiral, by means of ſome Engliſh who had long reſided upon the iſland, picked up very flattering intelligence as to the practicability of taking the place; and the troops being now landed, occupied a fine camp upon the pleaſant wholeſome ſide of a freſh-water river, where they had every thing that could contribute to their health, recreation, and refreſhment.

On the 20th of July, a general council of war was held, in which it was judged practicable for the land-forces to march

march up to St. Jago, about thirty miles diſtance from their encampment, and by ſurprizing the batteries above the caſtle called Morrois, by coming on the back of them, where, by all accounts, the Spaniards were unprovided for a defence, to take the place, and thereby ſecure a footing in the iſland of Cuba, from which all the power of Spain could not drive them while the Engliſh held the ſovereignty of the ſeas. Mr. Vernon appeared very ſanguine for this ſcheme, and was for diſpatching invitations for all the Engliſh governors in America to ſupport and ſecond it; and at the ſame time proved, from the evidence of thoſe officers who had reconnoitred the place, that it was impoſſible to attack the harbour of St. Jago immediately by ſea. Geo. II. 1741. The attack of it recommended to the general,

None of thoſe plauſible operations appeared practicable to the general. He had ſent parties out to reconnoitre the country by land; and though they met with no oppoſition, yet upon their return, and reporting the ſituation of the country, the length of the march, and the impoſſibility of bringing cannon againſt the place, the general, in a letter to Mr. Vernon, abſolutely declined the ſervice. Though Mr. Wentworth was far from being indefenſible in this refuſal, yet the admiral and his friends in England did not fail to repreſent him as guilty of both treachery and cowardice. But inactivity and the unhealthy ſeaſon which had now begun, had by this time diminiſhed the land-forces greatly, and as the admiral had no compulſive power over them, he was obliged to give way to the opinion of a council of war of the land officers, which was for an immediate re-embarkation for Jamaica, and this was effected on the 20th of November, notwithſtanding the admiral informed them, that he was in daily expectation of a reinforcement of 2000 men from England. who declines it, and the troops re-embark.

Such was the end of this inglorious expedition, which was abandoned before it met with reſiſtance. Beſides the diviſions between the ſea and land officers, ſome very great animoſities began to ſpread between the European and the American troops; and the ſailors having taken ſome very rich prizes from the enemy, from which the land-forces could have no benefit, encreaſed the general diſſatisfaction. It is incredible how many Britiſh ſubjects of all ranks had died or been killed ſince their firſt attack upon the harbour of Carthagena; not fewer, according to the beſt accounts, than 20,000. But it is now time to return to the affairs of Europe. Succeſs of the ſailors.

CHAP. IX.

State of affairs in Europe—Character of cardinal Fleury and of marſhal Belliſle—Progreſs of the French and their allies in Germany—Neutrality of Hanover—The Queen of Hungary goes to Hungary—Prague taken by the allies—Elector of Bavaria choſen emperor—New parliament meets—Character of lord Noel Somerſet—Proceedings of the new parliament—Elections—Sir Robert Walpole leaves the houſe of commons, and is created earl of Orford—Promotions—Secret committee—Caſes of Paxton, Vaughan, and Scrope—Indemnification-bill—Motion on rejecting it—Motion for a committee of accounts—Minorca—For papers—Money granted—Engliſh troops ſent abroad.

Geo. II. 1741.

HAD the queen of Hungary known the juſt bounds between magnanimity and obſtinacy, her ſituation would have been much more deſirable than it was, when his Britannic majeſty arrived at Hanover on the 12th of May.

State of Europe.

Character of cardinal Fleury.

The cardinal miniſter of France was then in the 85th year of his age. He was rather cautious than cunning, and had the art, beyond any miniſter ever known, of winning mankind over by an air of candor and ſimplicity, which in him appeared unaffected. He had neither the genius of Richelieu, nor the abilities of Mazarine; but while he was ſuffered to purſue his own plans, he was a more uſeful miniſter to France than either. He had been at ſome pains to win the friendſhip of the Engliſh, but at much greater to preſerve that of the Dutch, to whom he, on all occaſions, repreſented his maſter as their protector and moſt natural ally; and peace was his favourite maxim. In order to prevent a confederacy againſt France, he ſtudied to divide, but never to provoke, the proteſtant powers, and his paſſion for peace had encreaſed with his years. Had the queen of Hungary cloſed in time with the offers made her by his Pruſſian majeſty, Fleury would have maintained his pacific ſyſtem againſt all oppoſition; but the moment it was found at the court of France that the houſe of Brandenburgh had divided itſelf from that

of

of Auſtria, the cardinal could no longer withſtand the torrent for war that broke into his maſter's councils. Geo. II. 1741.

At the head of that party was the count de Belliſle, who and marſhal Belliſle.
[illegible] a mature age poſſeſſed all the fire and activity of youth. His family had ſuffered greatly by the tyranny and injuſtice of Lewis the XIVth, who was jealous of their power and riches; but their loſſes had been in ſome meaſure made up by favours and preferments that had been heaped upon the count. He was brave, polite, and inſinuating, plauſible in ſcheming, and rapid in executing; talkative, and ſo open, that he was ſeen all at once. Thoſe qualities, with great abilities as an officer, had recommended him to his maſter's favour without any great depth of political talents. Fleury was far from being jealous of him at firſt, and when he became ſo, it was too late. Belliſle had found a ſtrong party amongſt the princes of the blood and the nobility; and he repreſented to his king, that the time was now come when France with eaſe might compaſs what her greateſt princes for ages paſt had not been able to effect by the utmoſt profuſion of blood and treaſure, the reduction of the houſe of Auſtria; and that it was now in the power of France to make a ſtipendiary of her own, the head of the empire, in the perſon of Charles Albert elector of Bavaria.

It required no great force of reaſoning to give his moſt Chriſtian majeſty a reliſh for this doctrine, as the intereſts of the ſeveral powers of Europe were then partitioned. He ſpoke of it to the cardinal in terms that ſhewed he was determined to follow it; and the cardinal deſired the count de Belliſle to draw up his plans of operation both in the cabinet and the field. Belliſle obeyed, and the ſubſtance of his ſcheme was,

That before the month of June 1741, 50,000 French troops, of which 20,000 were to be cavalry, ſhould paſs the Rhine towards the Danube; that an army ſhould be formed on the ſide of Weſtphalia of about 40,000 men, who were to keep in awe the electorate of Hanover; and proper applications ſhould be made to the princes of the empire, according to their ſeveral ſituations, for concurring in dividing the ſpoils of the houſe of Auſtria amongſt themſelves. Belliſle gave in this ſcheme in January 1741, and the warm warlike party in the French councils were for not loſing a moment in putting it in execution. Belliſle's ſcheme of the war.

The king of England, as elector of Hanover, had then no more than about 26,000 of his electoral troops on foot. State of Germany.

Geo. II. 1741. The elector of Cologne was naturally disposed to assist his brother the elector of Bavaria in mounting the Imperial throne: the king of Poland, elector of Saxony, had great claims, in right of his own wife, upon the Austrian succession; the elector Palatine had just made a convention under the mediation of France with the king of Prussia, by which that prince resigned his rights to the dutchies of Berghes and Juliers: the elector of Mentz was strongly in the interest of France, and the elector of Bavaria already considered himself as wearing the Imperial crown.

Notwithstanding all those promising appearances, the caution of Fleury, and the wisdom of his Prussian majesty, put a curb upon the natural impetuosity of the French for some time. No formal treaty had yet been signed with Prussia; and the ambition of her Catholic majesty, who claimed all the Austrian succession in Italy, must be satisfied, nor indeed could France make her engagements good without the assistance of Spain. The delay that followed this indetermination, made the elector of Bavaria, who was by no means fond of the bare feather of the Imperial crown, in the beginning of June, offer to enter into a separate treaty with her Hungarian majesty; and to even acknowledge her right to the kingdom of Hungary, provided she would cede to him the county of Tyrol and the Austrian Swabia. But her Hungarian majesty proved as refractory to him as she had been to the king of Prussia, and he now threw himself entirely into the arms of France.

The French troops put in motion.

No sooner did the certainty of the miscarriage of the English attempts in America come to the knowledge of the French court, than they determined to keep no more measures with the allies of her Hungarian majesty. The arrival of great part of the Spanish treasure, enabled them to put their troops in motion; and his most Christian majesty emitted a declaration, taking notice, that the king of Great Britain's troops were in motion, and that, as being guarantee of the treaty of Westphalia, he was resolved, without prejudice to the pragmatic sanction, to march some troops towards the Rhine, in order to guard the freedom of the approaching election of an emperor, and to be ready to assist those princes who might call upon him for the execution of his guaranty.

Insolence of marshal Belisle.

Mean while the marshal count de Belisle was pitched upon to carry his own scheme into execution, in the double quality of ambassador and general, and he seemed so secure of success,

ceſs, that understanding the queen of Hungary had rejected all terms of accommodation by which her hereditary dominions were to be diſmembered, he ſaid, that France would ſoon proſcribe her terms upon the baſtions of Vienna. He ſet out for Germany, fraught with all the powers which were to ſet the mighty machine of war in motion. He had an interview with the Pruſſian majeſty, who had now loſt all hopes of an accommodation with the queen of Hungary, and a treaty between him and France was ſoon concluded, by which the duke of Bavaria, who was to be elected emperor, was to have Bohemia, the Upper Auſtria, and Tirol; the elector of Saxony (if he ſhould join the confederacy) the Upper Sileſia and Moravia; while the Lower Sileſia, with the town and territory of Neiſs, and the town and county of Glatz, was to remain to the king of Pruſſia. Belliſle next went to the Saxon court, and his Poliſh majeſty underſtanding the ſtipulations of the treaty, ordered his troops to march even before he ſigned it. After this the elector of Bavaria publiſhed a kind of manifeſto of the reaſons why he had called in the French troops as guarantees of the treaty of Weſtphalia, and the elector Palatine, in another manifeſto, declared, that he expected a body of French troops to guarantee the eventual ſucceſſion of the dutchies of Bergues and Juliers. The French troops accordingly deſigned for Bavaria paſſed the Rhine, as did thoſe which were to enter the dutchies of Bergues and Juliers, the Meuſe, under marſhal Mailebois; and the French king ſent the elector of Bavaria letters patent creating him his lieutenant general, with the marſhals Broglio and Belliſle to act under him. Each body of French conſiſted of near 40,000 men. By this reinforcement, the elector of Bavaria was at the head of 70,000 troops.

Geo. II. 1741.

Declaration of the elector of Bavaria,

who is made lieutenant general of the French forces,

He loſt no time, but, advancing towards the Danube, made himſelf maſter of Paſſau, an Imperial city, and the key from Bavaria to the Upper Auſtria. Before he entered the queen of Hungary's dominions, he declared war againſt her by the name of grand dutcheſs of Tuſcany; and upon the 10th of September he took poſſeſſion of Lintz, the capital of the Upper Auſtria; from whence he ſent a ſummons to count Khevenhuller, governor of Vienna, and ſpread conſternation to the very gates of that city.

and takes Paſſau.

The moderation with which France affected to proceed as guarantee of the treaty of Weſtphalia, and not only the ally but the patron of the elector of Bavaria, was both deteſtable and ridiculous to all the diſintereſted part of Europe, while

Political conduct of France,

Geo. II. 1741. while at the ſame time ſhe was violating her moſt ſolemn engagements. To take from the queen of Hungary all proſpect of relief, ſhe had found means, by the force of gold and intrigues, to prevail with Sweden to declare war againſt Ruſſia, by which the latter was diſabled from performing her engagements in favour of her ſiſter ſovereign. The elector of Cologne had been inſtigated to make ſome threatning declarations againſt the Dutch, on account of a diſputed territory; the menaces of Pruſſia were renewed, and his arms pointed towards the ſame republic, as well as towards Hanover; and by the motions of Mailebois it appeared, that the true intention of the army he headed, was to over-awe his Britannic majeſty, who remained ſtill in his electoral dominions, and to oblige him to accept of a neutrality for Hanover, and to countermand the march of the Danes, Heſſians, and Britiſh troops that were deſtined for the aſſiſtance of her Hungarian majeſty.

in forcing neutrality upon Hanover.

Situation and conduct of his Britannic majeſty.

In the circumſtances his majeſty then was, it would have been worſe than madneſs had he, by an unavailing obſtinacy, diſabled himſelf from being perhaps ever again of ſervice to the cauſe he had ſo generouſly eſpouſed. All the differences between the king of Pruſſia and the elector Palatine having been amicably adjuſted, there could not be the leaſt doubt as to the intention of Mailebois, who was then marching towards Weſtphalia; and there was not a prince in Europe who appeared to have either power or diſpoſition to ſecond his Britannic majeſty. He had foreſeen every thing but the obſtinacy of the queen of Hungary, which in vain he thought to get the better of, and which daſhed in pieces all his beſt concerted ſchemes. He had again and again ordered his miniſters to lay before her the conſequences of making his Pruſſian majeſty her enemy. He repreſented, that it was only upon the ſuppoſition of her making him her friend, that he had formed his meaſures for her ſupport. All he could remonſtrate was in vain. Her Hungarian majeſty made it no ſecret that ſhe would be better pleaſed with his entering into a neutrality for Hanover, than that ſhe ſhould be obliged to diſmember her dominions. His majeſty was ſtill unwilling to take a ſtep that, however neceſſary, would at firſt ſeem ſtrange in Europe; but finding the queen of Hungary entirely impracticable on that head, he at laſt gave his German miniſters orders to ſign the neutrality, by which his operations in favour of her Hungarian majeſty were for ſome time ſuſpended. It was the 16th of September when this neu-

neutrality, was ſigned; and as it concerned Hanover alone, his majeſty's regal dominions were not included; nor did the lord Harrington, the Britiſh miniſter at Hanover, though he adviſed the meaſure, as thinking it the beſt ſervice that could be done to her Hungarian majeſty, ſign the inſtrument, tho' preſſed to it by the French. Geo. II. 1741. Neutrality for Hanover ſigned.

Beſides all the motives already laid down to influence his Britannic majeſty to this ſtep, another ſtrong one, though not avowed, concurred. It appears from the letters of the Dutch miniſter, Van Hoey, at Paris, that the Dutch government, at this very time, were treating with the French for a neutrality for themſelves, which if they had obtained, the French either would have refuſed one to Hanover, or would have attempted to load it with very diſagreeable terms. The Dutch, after England, were the great dependance which the late emperor had for the ſupport of the pragmatic ſanction. His Britannic majeſty, by his miniſters and ambaſſadors, had often put them in mind of this and of their obligations; but all was to no purpoſe; and it was owing only to the dread of the Engliſh party in Holland that their High Mightineſſes did not, at this time, go into all the views of France. Motives for it.

But the king of England ſaved the cauſe, which, as elector of Hanover, he was obliged, for a time, to abandon. The money given by his parliament for the ſupport of the queen of Hungary, delivered her from the deſtruction which ſeemed inevitable. The king of Pruſſia had made motions towards Nieſs, which had obliged count Neuperg, the Auſtrian general, to throw a reinforcement into that important place, and to retire with the reſt of his army to cover Bohemia. For the duke of Bavaria, after taking Lintz, proceeded as natural ſovereign of the country, levying taxes, impoſing homage, and exacting from the inhabitants oaths of fidelity and allegiance, and his armies advanced within ten leagues of Vienna. Progreſs of Pruſſia.

Never was any princeſs better ſerved than the queen of Hungary was at this dreadful juncture by her generals, as ſoon as the Britiſh ſubſidy enabled them to act; and never did mortal act with more firmneſs than ſhe did on that occaſion. Her generals were moſt of them men of great abilities in the field, and devoted to her cauſe; becauſe they conſidered it as that of innocence oppreſſed by a wicked confederacy. At the ſame time, they knew ſhe had great reſources, which, by the friendſhip of England, ſhe might avail herſelf of; and they ſaw that their enemies, by their ſecure, but inconſiderate, Queen of Hungary well ſerved.

Geo. II. 1741.

rate, progreſs, might ſoon entangle themſelves in inextricable difficulties.

Vienna threatened.

Vienna, at that time, was preparing for a ſiege. The inhabitants were removing, to places of ſafety, their moſt precious moveables; great part of the ſuburbs, which formed the greateſt ornament of that city, were reduced to aſhes; and the queen committing her affairs into the hands of her huſband, prince Charles his brother, and her faithful generals, taking along with her her eldeſt ſon, ſet out for Preſburg in Hungary, where ſhe ſummoned the four orders of the ſtates of that kingdom.

She retires to Preſburg in Hungary.

Her ſpeech to the ſtates there.

She appeared in the aſſembly with that elegance of form, and that dignity of diſtreſs, that never fails to prepoſſeſs with love, pity, and admiration. There is no country in Europe where the Latin is ſo common as in Hungary; and her majeſty, who ſpoke it well and gracefully, addreſſed herſelf to the Palatines in that language. "The perplexed ſituation, ſaid ſhe, which, by the permiſſion of divine providence, I find myſelf reduced to, is attended with ſuch dangerous circumſtances, that I cannot extricate myſelf out of it without ſpeedy and powerful ſuccours. Abandoned by my friends, perſecuted by my enemies, attacked by my neareſt relations, I have no other reſource left but to ſtay in this kingdom, and commit my perſon, my children, my ſcepter, my crown, to the care of my faithful ſubjects. I do not heſitate to truſt them with all; their loyalty and bravery leave me no room to doubt of their exerting all their ſtrength to defend me and themſelves ſpeedily and reſolutely in this melancholy conjuncture."

Zeal of the Hungarians.

This ſpeech from the queen did more than all the power of her predeceſſors, and all the ſufferings of the Hungarians had ever been able to effect. It rendered the aſſembly loyal and unanimous. With an enthuſiaſm of zeal the Palatines drew their ſabres, and in the ſame language called out, "Let us die for our king Maria Tereſa," for ſo they always term their ſovereign. This behaviour proved to be no tranſitory gleam of affection for her perſon, or of commiſeration for her diſtreſs. With tears they ſwore to defend her. They publiſhed a manifeſto againſt the elector of Bavaria, and by a ſolemn act of ſtate they gave a perpetual excluſion of him and his poſterity from the throne of Hungary.

It is not the purpoſe of this hiſtory to deſcribe minutely the progreſs of this war; it is ſufficient if the great lines of it are here traced out, for theſe alone are intereſting to an Engliſh reader. The Hungarian nobility were inſtantly

inſtantly on horſeback; and old count Palfy, whom her Hungarian majeſty called her father Palfy, marched to the relief of Vienna with 30,000 men. Khevenhuller had raiſed 12,000; Neuperg was in Bohemia at the head of about 20,000; the grand duke and his brother prince Charles, who was the delight of the Auſtrian armies, commanded another large body; lieutenant-general Lobcowitz, count Berenclau, count Traun, with many other brave general officers, were exerting themſelves to the utmoſt for her ſervice. Geo. II. 1741. They raiſe armies for their queen.

It is, however, more than probable, that all their efforts would not have availed, had the court of France ſtuck cloſe to Belliſle's plan of operations, or been conſiſtent with itſelf. His plan did not, indeed, diſcover any uncommon degree of genius; it was greater than it was artful; and a man of leſs military abilities than Belliſle poſſeſt, might have done all he propoſed with the force he demanded, and the alliances with which he was ſupported. He was perpetually putting the cardinal in mind, that a little plan of operations compleatly performed, is preferable to a great one partially executed. But the cardinal's ideas were not comprehenſive enough to take in his reaſoning. He was terrified even by ſucceſs; and would have been glad that the Auſtrian ſucceſſion could have been partitioned ſo as that one part of it might have balanced another. He thought it always in the power of France to effect that, without putting her to the immenſe charges which Belliſle demanded; but he little imagined that Maria Thereſa would refuſe to be ſaved upon ſuch terms. Plan of Belliſle not purſued. Timidity of cardinal Fleury.

This littleneſs of the cardinal produced two effects that operated to her deliverance. Belliſle never was furniſhed with above 10,000 French cavalry, tho' he had previouſly declared, that without 20,000 he could not be anſwerable for ſucceſs. His troops were unprovided with many neceſſaries, which his allies, without diſtreſſing themſelves, could not ſupply; and Broglio, who was the elder marſhal, and joined with him in the command, was far from entering into his views. It is, to this day, doubtful whether there was any ſecret intelligence between cardinal Fleury and the elector of Bavaria; but it is certain that the latter, who now commanded in chief, took a ſtep which proved fatal to his affairs: for inſtead of collecting all his forces, and marching to attack Vienna, he turned aſide to Bohemia, after being in a manner within ſight of the very baſtions from whence Belliſle had threatned to give law to the queen of Hungary. Elector of Bavaria marches into Bohemia.

Geo. II. 1741.

This unexpected march ſurprized all Europe, and the Auſtrians themſelves regarded it as the earneſt of their deliverance. The king of Pruſſia blamed it; but the elector of Bavaria pleaded in his defence the advanced ſeaſon of the year, the ſtrength of the garriſon in Vienna, the neighbourhood of powerful armies of the enemy, and the additional fortifications that had been added to the city; all which conſiderations he had to encounter in Bohemia, excepting the ſtrength of the garriſon, which in Prague was inconſiderable, and that too happened merely by accident.

The active Khevenhuller, who was conſidered by her Hungarian majeſty as her greateſt general, loſt no time in improving this incident to the ſervice of his miſtreſs; and he at length met with ſucceſs beyond his hopes; for at firſt nothing could have a more melancholy appearance than the Auſtrian cauſe. The money of England, as has been already obſerved, had aſſembled her troops; and as ſoon as the intention of the elector of Bavaria was known, the grand duke, his brother prince Charles, marſhal Khevenhuller, prince Lobkowitz, and other Auſtrian generals, put themſelves at the head of a large army and advanced to cover Prague, or to put the fate of Germany on the iſſue of a battle. They came too late to ſave Prague. The Elector of Saxony had now publiſhed his pretenſions to part of the Auſtrian ſucceſſion in a manifeſto, and his army, to the number of 20,000 men, had joined the Bavarians and French in their march againſt Prague; upon which two attacks were formed. One was directed by Rutowſki, general of the Saxon forces, the other by the famous prince Maurice, afterwards marſhal, of Saxony, on the 25th of November at night. The troops of Saxony choſe this ſervice, becauſe their maſter was to have ſome part of Bohemia as part of his ſhare of the Auſtrian ſucceſſion. Both attacks ſucceeded that very night, through the puſillanimity of the inhabitants, and of Ogilvy, an Iriſhman, governor of the city, who pretended that he could not defend it with a garriſon of 3000 men againſt an army of 60,000. The garriſon was made priſoners of war, and the victors lived in the place rather as fellow-ſubjects than conquerors.

Joined by the Saxons.

Prague taken by his troops.

The Auſtrian generals were within a few miles of Prague the very night it was taken; but not conceiving themſelves ſtrong enough to attack the allies, they drew off to Budweis, a town upon the Muldau, extremely well ſituated for their future operations. There, they divided their army into three bodies. The grand duke commanded one, Khevenhuller another,

another, and prince Lobkowitz the third. The firſt and laſt gained a great many advantages over the enemy, which cannot be particulariſed here; but Khevenhuller obtained ſome that were glorious, and proved in their conſequences to be decifive of the war in favour of his miſtreſs. Geo. II. 1741.

Succeſs of Khevenhuller againſt the French and Bavarians,

The elector of Bavaria, upon marching into Bohemia, had left count Segur, a French officer of reputation, with other generals, to ſecure the paſſes upon the Inn, and to guard the avenues of the Upper Auſtria. This ill-concerted ſcheme had obliged him to leave behind him 25,000 of his beſt troops at different poſts, all which were attacked and taken with amazing celerity by Khevenhuller, and the officers under his command; and count Segur, the prince of Tingri, general Minucci, and lord Clare, who has been ſince made a marſhal of France, were obliged to retreat with ſuch precipitation, that great numbers of their men were cut in pieces by the huſſars whom Khevenhuller ſent in purſuit of them, while others were butchered by the peaſants. On the 26th of December the confederates reached Lintz (where the elector of Bavaria had lately been crowned arch-duke of Auſtria, as he had been king of Bohemia at Prague) and the place was ſoon after inveſted, with a garriſon of 10,000 French within it, by Khevenhuller. The place was open, but Segur having orders to defend it, the French formed a kind of a barricade, and a briſk attack began. By this time the grand duke had joined Khevenhuller, and the French not finding the place tenable, and being beſides reduced to eat their horſes, offered to capitulate; which, after ſome difficulties, was agreed to, and they bound themſelves not to ſerve for a year againſt the queen of Hungary.

and of other Auſtrian generals,

Mean while, the detached parties of the Auſtrians under general Berns and Bernklau, and the two partiſans Trenk and Menzel, were equally fortunate, by killing great numbers of the enemy, and ſeizing many important paſſes, which laid the whole electorate of Bavaria open to their incurſions. Thoring, the Bavarian general, attempted to diſlodge Bernklau from Schardin, a moſt important poſt he had ſurprized, but failed in his attempt; and being in his turn attacked at Wittich, he was entirely defeated, with the loſs of 3000 men killed, and a great number taken priſoners.

Marſhal Belliſle, who was at Frankfort when all thoſe diſaſters happened to the arms of the allies, upbraided them with their conduct, and complained bitterly to his own court, that his ſcheme had been ſtarved in the execution. His Pruſſian majeſty

Geo. II. 1741. majeſty at the ſame time, though his vote was engaged to make the elector of Bavaria emperor, deſpiſed the proceedings and conduct of the allies; and being ſovereign miniſter and general within himſelf, gave daily proofs of his ſuperior abilities. It was the 20th of October when he took the important town of Neiſs, by which he rendered himſelf maſter of Sileſia; and then returning to Breſlau, he there, on the 9th of November, received homage from the ſtates of that dutchy with great magnificence. He then eaſed his new ſubjects of certain burthens that had been impoſed upon them by the popiſh clergy; and ſent 12,000 of his troops under count Leopold de Deſſau, to make a diverſion in favour of his allies by laying ſiege to Glatz, the capital of a county of that name, the caſtle of which, after a long reſiſtance, he took; as did count Schwerin, another Pruſſian general, Olmutz, a city of vaſt conſequence on the confines of Moravia; after which both armies, in thoſe parts, went into winter quarters.

and of the king of Pruſſia againſt the Auſtrians.

Elector of Bavaria choſen emperor.

About this time, Belliſle made a moſt ſhining figure at Frankfort, where preparations were making for chuſing the elector of Bavaria emperor. The queen of Hungary had made repeated inſtances to preſerve the vote of Bohemia in her own or her huſband's perſon as co-regent; but they were overruled, and the elector was, by the unanimous voice of the college, raiſed to the imperial dignity, the very day when he heard of the fatal turn his affairs had taken by his loſing Lintz.

Return of king George to England.

His Britannic majeſty, who had left his electoral dominions immediately upon concluding the negotiation for their neutrality, and had arrived in England the 19th of October, ſaw the madneſs of France in raiſing to the imperial crown an emperor whom ſhe muſt either be at the expence of ſupporting, or who would unite in meaſures with the Germanic body to render his dignity independent, had given no oppoſition to his election, but brought back to England the ſame ſentiments with regard to public liberty which he had carried out of it. He had the pleaſure to ſee them ſeconded by all ranks and degrees of his people, who were juſt beginning to recover from the ferment in which they had been thrown by the late general elections.

New parliament meets.

On the 4th of December the new parliament met, and the commons, as uſual, choſe the right honourable Arthur Onſlow, eſq; for their ſpeaker. His majeſty then in his ſpeech mentioned the ſtate of the war with Spain, that had been undertaken by the advice of his parliament, who had particularly

larly recommended it to be carried on in America. He next mentioned the powerful confederacy formed againſt the queen of Hungary; "had other powers, ſaid he, that were under the like engagements with me, anſwered the juſt expectations they had ſo ſolemnly given, the ſupport of the common cauſe had been attended with leſs difficulty. I have, purſuant to the advice of my parliament, ever ſince the death of the late emperor, exerted myſelf in ſupport of the houſe of Auſtria. I have endeavoured, by the moſt proper and early applications, to induce other powers that were equally engaged with me, and united by common intereſt, to concert ſuch meaſures as ſo important and critical a conjuncture required; and where an accommodation ſeemed to me to be neceſſary, I laboured to reconcile thoſe princes whoſe union would have been the moſt effectual means to prevent the miſchiefs that have happened, and the beſt ſecurity for the intereſt and ſafety of the whole. Although my endeavours have not hitherto had the deſired effect, I cannot but ſtill hope that a juſt ſenſe of the common and approaching danger will produce a more favourable turn in the councils of other nations."

Geo. II. 1741.

His majeſty's ſpeech to them.

His majeſty then exhorted his parliament to put the nation in a condition of aſſiſting its friends, defeating its enemies in any attempts they might make againſt him or his dominions; and concluded with a moſt earneſt exhortation, that they would act with unanimity, vigour, and diſpatch.

The remarkable caution with which his majeſty had always mentioned any thing relating to any of his allies, made this ſpeech the more taken notice of. It was plain that it was not dictated by the miniſter, becauſe the tranſactions alluded to in it, happened when his majeſty was abroad; and indeed ſir Robert Walpole had of late done all he could to encourage the unanimous ardor that appeared in the public in favour of the queen of Hungary. But he was as yet extremely doubtful as to the complexion of the houſe. His enemies had greatly outdone him in their aſſiduities to form it; nor did he care to hazard a diviſion upon the addreſs, which was conceived in very general, if not vague, terms. It gave no aſſurance to his majeſty that they would aſſiſt him in defending his electoral dominions, if attacked. "We will, ſaid they, grant ſuch effectual ſupplies, as ſhall enable your majeſty not only to be in a readineſs to ſupport your friends and allies, at ſuch time, and in ſuch manner, as the exigency and circumſtances of affairs ſhall require, but to oppoſe and defeat any attempts that ſhall be made againſt your

An addreſs moved for.

Geo. II. 1741.

majeſty, your crown and kingdoms, or againſt thoſe who being equally engaged with your majeſty by the faith of treaties, or united by the common intereſt and common danger, ſhall be willing to concert ſuch meaſures, as ſhall be found neceſſary and expedient for maintaining the balance of power in Europe."

Debates upon it.

The motion for this addreſs was made by Mr. Herbert, (afterwards earl of Powis) a gentleman who never had diſtinguiſhed himſelf for his attachment to any party, and ſeconded by Mr. Trevor. The motion made by Mr. Herbert propoſed, "to thank his majeſty for his royal care in proſecuting the war with Spain." Lord Noel Somerſet, afterwards duke of Beaufort, ſince the death of ſir William Wyndham, which had happened about twelve months before, was conſidered as the riſing head of the tory intereſt. He was a man of ſenſe, ſpirit, and activity, unblameable in his morals, but queſtionable in his political capacity. Had he confined himſelf to a plauſible and a conſtitutional oppoſition, he would have been a very dangerous opponent to the miniſter. But it was thought, not without ſome appearance of reaſon, that his views went farther, and this diſabled him from being of ſervice to any party who durſt avow their principles. He moved on this occaſion, that it ſhould be inſerted in the addreſs, "that his majeſty ſhould not engage theſe kingdoms in a war for the preſervation of his foreign dominions." He was ſeconded by Mr. Shippen, whoſe conſiſtency of principles, through a long courſe of parliamentary attendance, was ſo remarkable, that it procured him the eſteem of all, and the love of many, even of thoſe who had differed with him in ſentiment. The ſpeech which he made upon this occaſion, which never has been faithfully printed, was an eminent proof of the acquiſitions which the liberty of ſpeaking in that houſe had made under the preſent miniſter ſince the time that Mr. Shippen was puniſhed with the Tower for an expreſſion which, at this time, would have paſſed unnoticed. Mr. Gibbon, an antient member, who had been always in the oppoſition, took notice, that it would be ridiculous to thank his majeſty for the proſecution of a war which had been ſo eminently miſmanaged and ruinous.

Character of lord Noel Somerſet, afterwards duke of Beaufort.

The miniſter did not make a ſufficient ſtand againſt this way of proceeding. Inſtead of ſhewing, that the misfortunes of a Spaniſh war could not be charged upon the government, he agreed to leave the paragraph relating to it out of the motion. The gentlemen in the oppoſition had too good intelligence

gence not to avail themſelves of this condeſcenſion which they expected. Mr. P. attributed it to fear and conſcious guilt; and by way of brief and inſtructions to the new members, he entered upon a laboured, but ſpirited, recapitulation of all the charges that had been brought againſt ſir Robert Walpole ſince his entrance into the adminiſtration, but eſpecially in regard to the late management of the war with Spain. He even carried his invectives, on this occaſion, into improbabilities, which deſtroyed part of his intention; for none who heard him had ever imagined that the miniſter was under an undue influence from the enemies of the proteſtant eſtabliſhment. Geo. II. 1741.

Sir Robert Walpole repelled this and other intemperate charges urged againſt him with the utmoſt ſteadineſs and reſolution. He obſerved, that it was in every man's power, when an unbounded liberty of ſpeech was granted, to blacken in general terms the moſt unexceptionable characters and conduct, and that he had as good right to make uſe of a general defence, as his antagoniſt had to a general impeachment. That not a ſingle fact had been offered to be proved of all the atrocious charges that had been brought againſt him, but that he was willing to come to cloſe quarters, and that if the gentlemen on the other ſide of the queſtion had a mind to name a day for going upon the ſtate of the nation, he would readily ſecond them. This challenge was accepted; the addreſs, without any mention of the Spaniſh war, was voted, and upon Mr. Pulteny's motion, the 22d of January next was fixed for taking under conſideration of the houſe the ſtate of the nation. MSS debates. Day appointed for conſidering the ſtate of the nation.

The coldneſs of this addreſs did the miniſter infinite prejudice. It made his mercenary friends ſuſpect that his power was upon the decline, and ſuch of them as really wiſhed well to the eſtabliſhment, thought that ſome ſtronger aſſurances were due to the efforts his majeſty had made, and the dangers to which he had expoſed his electoral dominions; eſpecially as the French had already violated the ſtipulated neutrality, and were, at that very time, threatning to take up their quarters, for the remainder of the winter, in Hanover. Reflections upon the addreſs.

The houſe of peers were much warmer and more explicite in their addreſs. That houſe had not undergone the ſame altercations as the houſe of commons ſince the laſt parliament. The efforts which the duke of Argyle had made in Scotland were amongſt the commons, and having been ſtrongly ſeconded by the dukes of Hamilton, Buecleugh, Queenſ- Proceedings of the houſe of lords.

Geo. II. 1741. bury, and other perſons of the greateſt quality and property in that kingdom, they were ſucceſsful. But the liſt of peers returned from Scotland to this parliament were, the marquis of Lothian, the earls of Crawford, Sutherland, Morton, Murray, Home, Lauderdale, Loudon, Finlater, Bradalbin, Dunmore, Hyndford, Portmore, Hopton, Ilay, and lord Somerville, who were all of them in the intereſt of the government.

New peers created, and why.

It was thought about this time, that the numbers and weight of property in the houſe of peers, were too diſproportioned to that of the commons; and conſequently that the importance of a peerage was too great, and that of the houſe of peers too ſmall. His majeſty, ever ſince his acceſſion to the throne, had been extremely frugal in beſtowing titles of honour, and the evil complained of had been ſenſibly felt. It was therefore reſolved that it ſhould be remedied for the future, and that the conſtitution in that reſpect ſhould be brought nearer to its firſt principles. Three commoners therefore had been made peers this ſummer. Mr. Bromley was made lord Montford, Mr. Stephen Fox lord Ilcheſter, and Mr. Howe lord Chedworth; all of them men of property, and their perſons ſo unexceptionable, that, even in that period of diſcontent, their creations met with general applauſe. The firſt glaring piece of miſconduct the miniſter committed, was in putting up for chairman of the committee of elections a man who was not beloved by many of the miniſter's own friends, againſt one whoſe intereſt was eſpouſed by the other party, and whoſe merits were every way unexceptionable. This queſtion going againſt the miniſter, gave a mortal damp to his intereſt, and redoubled ſpirit to his enemies. Theſe laſt now formed themſelves into regular aſſemblies and meetings, to concert the means of maintaining, improving, and purſuing their ſucceſs; and the miniſter ſoon grew ſenſible that he had no friends now to ſtick by him in parliament, but thoſe who were ſo through principle or gratitude.

Mr. Earl. Doctor Lee.

Miniſter loſes the queſtion about the chairman of the committee of elections.

Had his own ſafety, or his own intereſt, alone been concerned, he might have ſoon made himſelf eaſy; but he plainly ſaw that the ſervice of his majeſty and the public muſt ſuffer, ſhould he continue longer in power. The remonſtrances of his friends, who muſt all follow his fortune, prevailed with him to continue in the houſe till a few of the moſt important controverted elections were determined. Though he knew his perſon was entirely ſafe, yet he was willing to make the beſt terms he could for his friends, and to defeat all founda-

tion

tion that might be laid for his impeachment by any violent resolutions. Add to this, that he knew the persons and the characters of those who were to succeed him and his friends in their places, and he was willing, before he resigned, to stipulate the terms and the manner in which they were to serve his majesty. Geo. II. 1741.

and of the Westminster election.

The Westminster election was the favourite point with the opposition, because it afforded the fairest field against corruption and a standing army. The friends of the sitting members, on the other hand, who were all of them the friends of the minister, thought that the return which had been made for that burrough was very defensible, as the sitting members had an acknowledged majority of votes, and as the riots which had been industriously raised had made the intervention of the military power, who had been regularly called upon by the civil magistrates, absolutely necessary. The 23d of December, this decisive affair came on to be heard at the bar of the house. The petition had been presented by Mr. P. and the number of subscribers were very great, tho' they were in general persons of somewhat lower than midling fortunes: But they had been supported in the expence of their application by a voluntary subscription, to which some great personages had openly or secretly contributed. Their counsel was Mr. Murray, afterwards lord Mansfield, and Mr. Evans; that for the sitting members was Mr. Clark, afterwards a baron of the exchequer, and another. The matter was long and learnedly examined; but the circumstances of the books being shut up without consent of Edwin, and the return being made under the protection of a party of the guards, carried the determination against the minister by a majority of 222 against 220. At the same time the returning officer, a simple, perplext creature, was ordered into the custody of the sergeant at arms; and the justices, who had sent for the soldiers, had a day appointed for being reprimanded on their knees by the speaker.

State of parties.

Nothing but private friendship could have prevailed with the minister to come to the house after this. He attended, however, and carried several points against his adversaries, and even threw out some intimations as if he had it still in his power to disappoint the sanguine expectations they had formed. They were sensible of the truth of this. The chief part of the opposition, which was composed of old whigs or violent tories, began, in their meetings, to talk of terms which they who had taken the lead of opposition

Geo. II. 1741. within doors could by no means approve of, but durſt not, as yet, gainſay, becauſe they were ſenſible that the others, upon the ſmalleſt conceived diſtruſt, either would join the miniſter, or throw the nation into civil diſſenſions. A ſeeming unanimity, therefore, ſtill prevailed amongſt the gentlemen of the oppoſition; but a private correſpondence was now entered into between ſome of the heads, and ſome about his majeſty's perſon, who were no enemies to the miniſter, but thought it would be for the ſervice of the public if he ſhould retire from power without any civil convulſion attending his diſmiſſion.

The miniſter ſtill continued his attendance on the houſe of commons till the deciſion of the Chippenham election, February 2, which was carried againſt his party only by one vote; and being, during the debate, very roughly handled, he came out of the houſe, and in the lobby declared that he was reſolved never again to enter it.

The miniſter leaves the houſe.

This declaration was not expected ſo ſoon by either his friends or his enemies; but the miniſter's reſolution was grounded upon the beſt of principles. He could have divided his enemies, and have maintained himſelf in an uneaſy dangerous poſſeſſion of power; but he foreſaw that in ſuch a caſe, the breach in the royal family muſt be continued, which might be attended with the moſt diſagreeable conſequences to his royal maſter. Doctor Secker, biſhop of Oxford, ſince archbiſhop of Canterbury, was charged with a commiſſion to his royal highneſs the prince of Wales, to acquaint him, that if his royal highneſs would write a letter of ſubmiſſion to his majeſty, 50,000 l. ſhould be added to his yearly income, 200,000 l. ſhould be given him to pay his debts, that he and his friends ſhould be re-admitted to the royal favour, and that they ſhould in time be ſuitably provided for. His royal highneſs anſwered with the ſtrongeſt proteſtations of duty, that he was willing to throw himſelf at his majeſty's feet; but that he thought ſir Robert Walpole was ſo great a bar between his majeſty and his people, that he could agree to no terms till he was removed. It was this anſwer that had determined the miniſter to withdraw from power, and to reſign his places, which he did February the 11th, after being created by his majeſty baron of Haughton, viſcount Walpole, and earl of Orford.

Application to the prince of Wales,

rejected by him.

Sir Robert Walpole reſigns his places, and is created a peer.

Though the plan of power in the ſucceeding miniſtry had been already ſettled, yet it was kept a ſecret amongſt a few; and an unuſual ferment happening, his majeſty, on the 3d of February, came to the houſe of peers, and after paſſing the malt-

malt-bill, ordered the lord chancellor to acquaint both houſes, that it was his pleaſure they ſhould adjourn to the 18th. Had the violence of party been attended to, his majeſty's pleaſure in that reſpect would have been diſregarded; as it was, it was diſputed. Many in the houſe of commons, when the members returned to it, ſaid, that an adjournment at that time, was an expedient contrived by the late miniſter and his friends, to defeat all the glorious purpoſes of their oppoſition, and that they ought to run all hazards, rather than agree to it. Had this propoſition been followed, the conſequences muſt have been very dreadful, and next to a diſſolution of government muſt have followed. Mr. P. who continued ſtill to be truſted by the party, ſpoke for the adjournment, as did ſeveral other members, who were in the ſecret of the approaching partition of power, and, at laſt, it was agreed to.

Geo. II. 1741.

Houſes of parliament adjourn.

The very day after the miniſter's reſignation, a great meeting of all the gentlemen in the late oppoſition was held at the Fountain tavern in the Strand, their uſual place of rendezvous on ſuch occaſions. The purpoſe of the meeting was to deliberate upon the means of bringing the late miniſter to juſtice, and of carrying into execution the great conſtitutional points they had ſo long contended for. The coldneſs of Mr. P. and others, at this meeting, gave ſome ſuſpicion to thoſe, who were not in the ſecret, of what was to follow; but the duke of Argyle, who was principally conſidered at the meeting, in a manner undertaking for the heads of the party, they entered into a joint reſolution, of appearing at court, which they accordingly did. in a body; and a reconciliation between his majeſty and his royal highneſs the prince of Wales, was thought to be happily effected.

Meeting of the late oppoſition.

They appear at court.

It ſoon appeared, that the removal of ſir Robert Walpole was far from altering the plan of his meaſures, though ſome changes in the high departments of government were abſolutely neceſſary. Mr. Sandys, member for Worceſter, who had long and painfully perſevered in oppoſing the late miniſter, and who had led on the laſt attack againſt him in parliament, was appointed chancellor of the exchequer, a place which requires great experience in money-affairs, and reach of invention, for contriving the means of raiſing the ſupplies.

Mr. Sandys made chancellor of the exchequer.

The earl of Wilmington was at that time preſident of the council; he was looked upon as a wiſe man, and having ſome genius for buſineſs, he had of late ſteered a middle courſe in party-affairs, which made him the moſt un-

Earl of Wilmington firſt lord of the treaſury.

Geo II. 1741. exceptionable perſon to fill up the important poſt of firſt lord commiſſioner of the treaſury. The other new commiſſioners were, George Compton, eſq; ſir John Ruſhout, and Philip Gybbons. eſq; with the new chancellor of the exchequer. The earl of Wilmington was ſucceeded as lord preſident, by lord Harrington, who was advanced to the title of an earl; a man agreeable to all parties. He was ſucceeded as ſecretary of ſtate by lord Carteret, whoſe abilities for ſuch a poſt were univerſally acknowledged, and a third ſecretaryſhip of ſtate for the Scotch affairs was revived and given to the marquis of Tweedale, who, though not in parliament, had always concurred with the ſentiments of lord Carteret. The duke of Argyle was made maſter-general of the ordnance, and colonel of his majeſty's royal regiment of horſe guards, and Mr. Pultney was reſtored to the dignity of a privy counſellor, and took his place at the board accordingly. The death of ſir Charles Willis made room for the duke of Marlborough, to ſucceed to the 2d regiment of foot-guards, in the place of his royal highneſs the duke of Cumberland, who was made colonel of the 1ſt regiment. About the ſame time, there was a conſiderable promotion of general officers, and great changes were made in the inferior departments of buſineſs, but very few of them were in favour of the friends of the late oppoſition.

Lord Harrington, lord preſident; and lord Carteret ſecretary of ſtate,

The duke of Argyle maſter of the ordnance, and colonel of the blue guards.

Duke of Cumberland colonel of the firſt, and duke of Marlborough of the ſecond regiment of foot guards.

In the mean while, a moſt prodigious ferment began to work throughout the nation. Every petty borough, whoſe repreſentative had oppoſed the late miniſter, conſidered itſelf as the prime cauſe of his removal, and thought it had a right to dictate to parliament. Addreſſes and inſtructions, therefore, rolled in from all quarters. The cities of London and Weſtminſter led the way, and the terms they inſiſted upon, not being practicable, they threatened a total diſſolution of government. A rigid place and penſion-bill excluding from parliament every ſervant of his majeſty, who had abilities and experience to ſerve in parliament, was primarily inſiſted upon. The repeal of the ſeptennial act, and the revival of triennial, if not annual, parliaments, was clamoured for; but above all, vengeance was denounced againſt the late miniſter and his adherents; and ſome of the inſtructions declared war againſt a ſtanding army of any kind, though they inſiſted upon ſupporting the queen of Hungary; and many of them were for reducing, if not aboliſhing, almoſt all taxes, though they all agreed in the wiſdom and neceſſity of continuing the war with double vigour againſt Spain.

Great ferment in the nation.

Another

Another meeting of all the members concerned in the late oppoſition was held; and moſt of the gentlemen, who had accepted of places, were preſent. The duke of Argyle recommended the carrying into execution all the practicable points that had been urged by the people, and above all, that the late miniſter ſhould not eſcape with impunity, but be proſecuted with the utmoſt rigour; declaring, that he was determined to reſign all his places, if thoſe preliminaries were not complied with. Others reproached the new miniſters with having betrayed their engagements, and broken the concert that had been agreed upon. Mr. P. who had in conſequence of his conſtant declaration, accepted of no place, undertook to ſhow the madneſs, the folly, and danger of violent reſolutions. He obſerved, that the late promotions were to places, which could not be kept vacant, without a total ceſſation of public buſineſs; and that they had been filled up by gentlemen, who had been unexceptionable in their principles and conduct. He made uſe of the remarkable expreſſion, "that government was not to be taken by ſtorm," and that prudence ought to moderate many demands, which might have been very proper, while the late miniſter was in power. Geo. II. 1741. Another meeting of the late oppoſition.

He was heard with great diſlike by the majority of the aſſembly, which broke up very much diſſatisfied, and new ſchemes of oppoſition were immediately formed. It was now plain, that the late miniſter had found means to diſconcert the party; and the interval of the receſs was employed in ſettling the other great departments of national buſineſs. It was agreed, that the earl of Winchelſea ſhould be placed at the head of the admiralty-board, and that the other commiſſioners ſhould be, Mr. Cockburn, lord Archibald Hamilton, lord Baltimore, admiral Cavendiſh, doctor Lee, and Mr. Trevor. The duke of Argyle had, by this time, with the utmoſt reſentment, again thrown up all his places. That of maſter of the ordnance was given to the duke of Montague, and the earl of Hertford, eldeſt ſon to the duke of Somerſet, who had been removed from being colonel of the horſe-guards blue, was reſtored to his regiment, while the earl of Stair, a Scotch nobleman, of diſtinguiſhed merit, who had long lived without any public character, was made field-marſhal of his majeſty's forces, and appointed ambaſſador plenipotentiary to the States-general. The character of this nobleman has been already given, and upon this occaſion he juſtified it. Though the duke of Argyle and he had a mutual regard for each other, yet their family intereſts Admiralty board filled up. Duke of Argyle throws up his places. P. 259.

had

Geo. II. 1741. had been different, and he was naturally pitched upon to be placed at the head of the army.

Ferment of the nation without doors,

The cry without doors now was, that the nation had been betrayed, and that an infamous compromiſe had been made between the new miniſters and the old, for ſcreening ſir Robert Walpole. The gentlemen, who had accepted of places upon his removal, profeſſed themſelves ready to enter into any meaſures for doing juſtice to the nation, and called upon their accuſers within doors, to point out the method they were to proceed in. This was what the diſcontented party themſelves were not agreed in. They reſolved, however, to purſue their attack upon the late adminiſtration with the utmoſt vigour, in a matter where they thought them the moſt vulnerable, the management of the Spaniſh war.

Caſe of the Spaniſh captures;

From the 1ſt of September, 1739, to the 16th of November, 1741, about 337 Engliſh ſhips had been taken by the Spaniards, and with their crews had been carried into their harbours; and the value of the captures were, according to ſome, rated at about one million two hundred thouſand pounds. On the other hand, it is certain that the Engliſh had taken prizes from the enemy, far ſurpaſſing that ſum in value; but no allowances of that kind were made in the applications of the Engliſh ſufferers for redreſs. On the 20th of January, the merchants of London, in a moſt pompous cavalcade, went to the houſe of commons, where they delivered a petition, which was a downright impeachment of the adminiſtration in general, and of the board of admiralty in particular.

They complained, that their loſſes had of late increaſed, and that moſt of the captures made by the Spaniards, had been made in or near the Britiſh channel or ſoundings, and that no cartel being likely to take place, many of the captive ſeamen had entered into the enemy's ſervice. That all thoſe misfortunes might have been prevented, conſidering the weakneſs of the enemy by ſea, had a few of his majeſty's ſhips of war been properly ſtationed, and the act of parliament, made in the year 1707, for the better ſecuring the trade of this kingdom by cruizers and convoys, been obſerved. They then complained of the great increaſe of the Spaniſh marine in the Mediterranean, and of their privateers from St. Sebaſtian, from the encouragement they met with in taking Engliſh ſhips; that there had been various neglects and delays in appointing convoys, and that out of the few that had been granted, ſome of the commanders had paid ſo little regard to the ſhips under their care, that they had deſerted

which were not ſo great as in queen Anne's time.

them

them at ſea, and left them a prey to the enemy. They then complained that the American navigation was not properly protected, and that many ſhips had been brought into danger, by the arbitrarily impreſſing their ableſt hands out of their homeward-bound ſhips, before they had made the land, or arrived at a place of ſafety, and out of the outward-bound ſhips, in the proſecution of their voyages. They then aſſured the houſe, that they did not complain of ſuch captures, as are the unavoidable conſequences of a war, but of ſuch only, as had been occaſioned by a want of due care, for the protection of trade, which has, during the whole war, laboured under an apparent neglect and diſregard; that they were far from repining or murmuring at ſo neceſſary and juſt a war, but they prayed the houſe, that ſome proviſion might be made for the future protection of the trade and navigation of theſe kingdoms, and that they may be heard by themſelves or council. This laſt prayer was granted. Geo. II. 1741.

On the 26th of the ſame month, the lord mayor, aldermen, and commons, of the city of London, preſented another petition, to the ſame effect with that from the merchants, but conceived in much more injurious and indecent terms with regard to the government, whom they in fact accuſed of endeavouring to transfer the trade of England to their powerful and dangerous rival; with other accuſations, ſtill more black and bitter. Petitions to the like effect were tranſmitted from Briſtol and other trading cities, and they were all of them referred to the conſideration of a committee of the whole houſe. A vaſt number of papers, pretended to be neceſſary for the information of the committee, were then ordered to be laid before them, moſt of them from the admiralty, which was the moſt immediate object of the attack; and amongſt other papers called for, were; 1ſt, An account of the men of war employed ſince the beginning of the preceding year as cruizers, for the protection of trade on this ſide Cape Finiſterre, their ſtations, their continuance on their ſtation. 2d, The journals of the commanders of ſuch of his majeſty's ſhips of war as have been employed, ſince the commencement of the war as cruizers, for the protection of trade, on this ſide Cape Finiſterre. To theſe two extraordinary articles, were added an account of all the ſhips of war appointed for convoys, ſince the commencement of the war, with the notices they gave to the traders, and the times of their ſailing, together with the report of the lords of the admiralty, upon the petition of the merchants, relating to their loſſes during the war. Theſe and the other neceſſary

Petition from the merchants and city of London;

and from other places.

Geo. II. 1741. ceſſary lights being obtained, the committee went upon buſineſs.

Remarks upon the ſame.

Notwithſtanding the plauſibility of theſe petitions, it is certain they were deſtitute of all juſt foundation. The miniſtry, before the commencement of the war, had foreſeen and foretold, that the ſufferings of their trade would be much greater than the petitioners then imagined, becauſe of the extenſiveneſs of it, which did not admit of its being protected equally in every quarter by his majeſty's ſhips. The vaſt ſquadrons that had been fitted out for the Weſt Indies, the Mediterranean, and the channel ſervice, had rendered it impoſſible to ſtation more cruizers to protect the trade, than they really had; and the perpetual complaints entered by the merchants againſt preſſing men, rendered their application, at this time, unjuſt and unreaſonable. It appeared, that the number of ſhips complained of, (admitting what was far from being the caſe, that they had been all taken by the enemy,) was very moderate, conſidering the great diſproportion they bore to the numbers of Engliſh captures in the reign of king William and queen Anne. During the former reign, no fewer than 4000 Engliſh ſhips had been taken by the enemy; and in the year 1707, when upon a like complaint of the merchants before parliament, it appeared, that in about two years time, eleven hundred and forty-ſix Engliſh ſhips had been taken by the enemy, and that at times when the nation had not one half of the merchant-ſhips at ſea, as it had when the petitions in queſtion were preſented. Add to this the number of Britiſh ſeamen, ſuppoſed in the year 1742, to be in the enemy's hands, did not amount to above 3,612 men; whereas, it was admitted by the friends of king William's memory, that in his time, 15,000 Engliſh ſeamen were exchanged with the enemy; and in the year 1707, though the war had not continued for above five years, 18,000 had been exchanged, and two thouſand more were then actually in the enemy's hands.

See Vol. XVI. p. 489, & ſeq.

In anſwer to thoſe plain facts, the petitioners pretended, that the naval power of the enemy was greater in 1707, than in 1742. But that, by no means, appeared to be the caſe, becauſe Spain, in 1742, was as powerful by ſea, as France (which was the only power that then annoyed the Engliſh trade) was in 1707. The petitioners farther alledged, that the loſſes ſuſtained by the kingdom in 1707, in ſhipping, was owing to the large fleets of French men of war; but this appeared to be falſe from the petition of the merchants ſufferers

Journals of the houſe of commons. November 15th, 1707.

ſufferers then, which was almoſt in ſubſtance the ſame as in 1742; nor was it the caſe in fact. Geo. II. 1741.

The merchants and other petitioners choſe to employ Mr. Glover, one of their own body, to manage and ſum up the evidence. All the ſtrong charges againſt the adminiſtration were daily publiſhed with the utmoſt aggravations, while the arguments (ſome of which have been here given) to ſoften or to diſprove the charge, were, through the ſpirit of the times, entirely diſregarded. All that Mr. Glover, after a moſt partial hearing in favour of the petition, could make out, amounted to a very few equivocal neglects or overſights, occaſioned by the vaſt multiplicity of buſineſs upon the hands of the admiralty; nor, under any preceding reign, would they have met with an hour's attention, though the examinations laſted for ſome days. Such was the temper of the houſe, that the moſt frivolous circumſtances were ſwelled into proofs of guilt, and an inconſiderate [a] anſwer given by ſir Charles Wager, who had been teized with complaints of what was not in his power to help, was looked upon as highly criminal.

It happened, that the principal members in the houſe of commons, who underſtood trade the beſt, had been the moſt active againſt ſir Robert Walpole and his adminiſtration; and ſome of his friends at this time being under a kind of deſpondency, others of them, who could have entered upon a debate, choſe to be ſilent; and when the committee cloſed their examination, ſir John Barnard reported to the houſe,

Reſolutions of the committee.

"That it appeared to the committee, that notwithſtanding the repeated applications of the merchants, for cruizers to be properly ſtationed, for the protection of the trade of this nation from the privateers of Spain, the due and neceſſary care has not been taken to keep a proper number of his majeſty's ſhips employed in that ſervice, more eſpecially in and near the channel and ſoundings; for want of which, many ſhips had been taken by the enemy, ſome of them of a conſiderable value, to the great loſs of many of his majeſty's ſubjects, the great advantage and encouragement of the enemy, and the diſhonour of this nation.

"That the detention of the ſhips bound to Portugal for near twelve months, by the refuſal of protections for ſome time, and the delays of convoys afterwards, gave our rivals in trade an opportunity of introducing a new ſpecies of their woollen manufactures into Portugal, to the great detriment of this kingdom."

[a] "It is your own war, you muſt take it for your pains."

Geo. II. 1741.

Such were the reſolutions, which the houſe, without examining a ſingle witneſs, to diſprove the allegations of the petition, came to, at this over-heated juncture; and, upon theſe reſolutions, ſir Robert Godſchal, then lord-mayor of London, and ſir John Barnard, were ordered to bring in a bill, "for the better protecting and ſecuring of the trade and navigation of this kingdom in time of war."

Amongſt the many abſurdities that this bill was filled with, the 8th clauſe enacted, "that none of his majeſty's ſhips, which ſhall be ſtationed at any of our ſettlements abroad, ſhall leave or quit their ſtations, under pretence of going to careen or refit, or under any pretence whatſoever, without an eſpecial order from the lord high admiral, or commiſſioners for executing the office of lord high admiral, for the time being."

Bill upon the ſame brought in.

Notwithſtanding the glaring abſurdity and inhumanity of this clauſe, and the deficiency of every other part of the bill, it paſſed through the houſe of commons, and was ſent up to the houſe of lords. The earl of Winchelſea was then at the head of the admiralty, and though the bill had received ſome amendments, he expoſed the defects and impracticability of it ſo well, that notwithſtanding it had many able advocates in the houſe, moſt of its clauſes were one by one given up, and at laſt the bill itſelf was rejected, by a majority of 59 againſt 25.

Coalition of parties propoſed.

This rejection gave freſh uneaſineſs to the anti-miniſterial party in the houſe, and without doors; and ſome of the bittereſt enemies of the late miniſter began ſoon to wiſh he had not ſo precipitately quitted his power. It is a circumſtance, greatly to the honour of his memory, that his friends in parliament ſtill oppoſed every thing that he would have oppoſed, had he continued the firſt miniſter, and they even carried ſome queſtions. Nothing but the regard he had for the public ſervice and his maſter's intereſt, could have prevented them from ſtill uniting in ſuch a manner, as would abſolutely have deſtroyed the whole new-formed ſyſtem of power. Some of the moſt diſappointed tories actually made advances of that kind, but, as it was eaſily ſeen through by the earl of Orford, that they did it only in order to diſtreſs the meaſures of the government, they were rejected. It is, however, certain, that ſome of the new made miniſters were terribly alarmed with apprehenſions of ſomewhat of that kind happening, and renewed their profeſſions of being ready to act up to their former principles. They were taken at their words. The place and penſion bill, and a bill for repealing

pealing ſeptennial parliaments, had been the great criterions of the party, when they were a minority; and it was determined to put the ſincerity of the new adminiſtration to thoſe teſts. Penſioners ſitting in parliament were more obnoxious to the people than place-men. A bill was brought in to exclude them; it went aukwardly through the commons; and was rejected by the peers. The place-bill, though greatly modify'd, had the ſame fate. It was generally thought that the motion for repealing the ſeptennial act, would have taken place, but when it was moved for by ſir Robert Godſchal, and ſeconded by ſir John Barnard, the motion was over-ruled in the houſe of commons, by a majority of 20. Amongſt thoſe who ſpoke againſt it were, Mr. P. and Mr. Sandys, who having been always the main promoters of it, were thereby expoſed to a great deal of abuſe, both without and within doors, and undoubtedly, at firſt ſight, their conduct was very inconſiſtent.

Geo. II. 1741.

Penſion and place-bills miſcarry.

But the truth is, it was both wiſe and honeſt. They had now learned, that there was a wide difference between the ſpeculative and practical part of government, and that however the late adminiſtration had been railed at, for oppoſing that and many other popular motions, the public buſineſs could not have been done, had they taken place. The nation was then in a ferment, which was likely to continue, and had a majority of parliament been returned, as would probably have been the caſe, of men poſſeſſed with wild unpracticable notions of government, the event, eſpecially when the nation was engaged in a war, might have been fatal, not to mention many intermediate inconveniencies. The new proſelytes for the ſeptennial act urged farther, that as the preſent parliament had obtained the removal of an obnoxious miniſter, the intereſt of the nation was concerned in its continuance, and that her friends on the continent would loſe all their confidence in her, ſhould a new parliament take place. It was on the other hand urged, that the preſent parliament had two more ſeſſions to ſit, ſhould the motion paſs; but that was a conſideration which had no weight, ſince the canvaſſing and the intriguing part of elections would commence immediately, and have a great influence upon gentlemens conduct within doors.

Motives for the conduct of the new miniſtry.

In the oppoſition to the court, which ſtill continued in the houſe of commons, were many who ſecretly envied the ſucceſs of thoſe who had lately come into power, and reſolved to attempt to puſh themſelves in by the ſame means. The cry for juſtice upon the late miniſter was revived, and re-

Committee of enquiry moved for twenty years, and miſcarries.

echoed

Geo. II. 1741. echoed all over the nation in a freſh ſet of inſtructions, that came up from all quarters to the members; and ſomewhat muſt in decency be done to ſilence it. Lord Limeric, who had a ſeat in the houſe of commons, and was looked upon as a man of ſound parts, on the 19th of March, made a motion in the houſe of commons, for a ſecret committee to be appointed to examine into the conduct of affairs for twenty years paſt. This motion had all the air of eſtabliſhing an inquiſition, which muſt have deſtroyed all manner of credit with the courts abroad; and, from the many deaths, alterations and changes that had happened during ſo long a retroſpect, the enquiry muſt have been either unjuſt or ineffectual. Notwithſtanding all thoſe, and many more groſs abſurdities that were entailed upon the motion, which was ſeconded by ſir John St. Aubin, it was puſhed and rejected, by a majority of no more than 244 againſt 242.

This defeat threw the party into new panics, and freſh meetings were held. It was now extremely plain, that if the late miniſter's friends had pleaſed to re-unite, they were, in point of numbers, powerful enough to have defeated any motion againſt him. But he had ſo little apprehenſion of danger from an enquiry, that he uſed all his intereſt that it might not be defeated, if it could be ſet on foot conſiſtently with the good of the public. On the 23d of March, lord Limeric made another motion, which was likewiſe ſeconded by ſir John St. Aubin, for a committee, "to enquire into the conduct of Robert earl of Orford, during the laſt ten years of his being firſt commiſſioner of the treaſury, and chancellor and under-treaſurer of his majeſty's exchequer."

But papers for ten years.

Though this motion was much leſs exceptionable than the former, yet it bore a long debate. The friends of the late miniſter offered to give their voices for it, if any determined particular charge was brought againſt him; but they apprehended that an enquiry formed upon popular clamour alone was inconſiſtent with the juſtice and dignity of the houſe. The committee, however, as moved for, was carried by a majority of 252 againſt 245, and was voted "to conſiſt of 21 perſons, who were to be ballotted for, and to have a power to ſend for perſons, papers, and records; and to examine, in the moſt ſolemn manner, ſuch perſons as they thought proper, upon the ſubject-matter of their enquiry." The ballot, conſidering the houſe was then very full, proved a matter of ſome difficulty, and laſted two days, when the following members were declared to have been named by the greateſt number of members, viz. ſir John St. Aubin, Samuel

Names of its members.

muel Sandys, eſq; ſir John Ruſhout, George Compton, eſq; lord Quarendon, William Noel, eſq; ſir John Barnard, lord Limeric, lord Cornbury, Nicholas Fazakerley, eſq; Henry Furneſe, eſq; lord Granard, Cholmondeley Turner, Edmund Waller, William Pitt, Thomas Prowſe, William Bowles, Edward Hooper, eſqrs; ſir John Strange. The numbers were equal for ſir Henry Lydal, John Talbot, William Finch, and Hume Campbell, eſqrs; in which caſe, the determination is always left to the ſpeaker, who, upon this occaſion, named ſir Henry Lydal, and Mr. Talbot. Geo. II. 1741.

Armed with the extenſive powers above-mentioned, the committee began their operations, and choſe lord Limeric their chairman. They called for all the treaſury-books and papers, and ſet out with wonderful application. As they had the fulleſt means of information, it was expected by the public, that in an adminiſtration of ſo long continuance as that of ſir Robert Walpole, ſome overſights, though it had been ever ſo blameleſs, muſt have happened, and that his enemies within doors had certainly ſome grounds for the numerous and blackening charges they had eſtabliſhed againſt him. But they were long in finding any food for their zeal. The diſcoveries they had been able to make were inconſiderable, when compared to the atrociouſneſs of the charges, and it was contrived, that the inefficacy of the enquiry ſhould be attributed to the arts and obſtinacy of the late miniſter's dependants and friends.

Caſe of Mr Paxton.

One Paxton, who had ſignalized himſelf more by his faithful attachment to party than by any accompliſhments, either intellectual or moral, had been for ten years ſollicitor of the treaſury, and poſſeſſing many ſocial talents, he had been employed by ſir Robert Walpole in a great number of thoſe private negotiations, that are inſeparable from the power of a firſt miniſter and firſt lord of the treaſury. It never had been denied, that a great many ſuch negotiations, not proper to be publiſhed, are neceſſarily incidental to the great departments of buſineſs, and money under the denomination of ſecret ſervice money, had always been allowed for that purpoſe. Great part of this money had gone through Paxton's hands, and the committee now called upon him to give an account of it. Frugality was not amongſt Paxton's private virtues, and though he had always done the miniſter's buſineſs faithfully, it had been at ſuch an expence, that his accounts could not well bear a ſtrict examination; and it appeared from the treaſury-books, that during the ten years he

Geo. II. 1741. he had been ſollicitor to it, a ſum to the amount of 95,000 l. had been iſſued to him.

When Paxton appeared before the committee of ſecreſy, he was examined about 500 l. he had given to one Boteler in the year 1734, in order to enable him to [illegible] his election into parliament at Andover. Though there could be little doubt that Paxton had given the money, yet he refuſed to acknowledge it; becauſe, as he very properly obſerved, he might thereby accuſe himſelf, and in ſhort, by his obſtinate perſiſtance, in refuſing to anſwer, he ſtopt the courſe of the examination.

Paxton thus commencing a kind of parliamentary mute, it was reſolved to preſs him into an anſwer, and lord Limeric reporting his obſtinacy to the houſe, a motion was made, for committing him to the cuſtody of the ſerjeant at arms, which occaſioned ſome debate. The friends of the late miniſter thought the houſe could not vote Paxton to be puniſhed before they knew he was criminal, which could not be known, unleſs they were acquainted with the queſtions that had been put to him.

who is ſent to Newgate.

Though there was very little foundation in reaſon for this, or indeed any other argument, that was urged againſt the motion, yet they demonſtrated the vaſt attachment which many of the members had for the late miniſter, though it was no longer in his power to reward them; for upon a diviſion, 136 voices were againſt committing him, and 197 for it. Having ſurrendered himſelf into cuſtody, he continued as obſtinate as before; and next day, being April the 14th, a motion was made, for committing him to Newgate a cloſe priſoner, which motion was carried, by a majority of 180 againſt 128; and it was ordered, that he ſhould not be allowed the uſe of pen, ink, or paper, and that no perſon ſhould be permitted to ſpeak to him, without leave of the houſe, which order was very ſtrictly put in execution.

The public were far from approving of this ſeverity, tho' Paxton was unexceptionably the moſt unpopular of all the miniſterial agents. The queſtions that had been put to him, were ſoon known without doors, and being ſo very trifling, while ſo much was expected, expoſed the proceedings of the committee to contempt and ſome ridicule. The other agents of ſir Robert Walpole ſaw this, and they acted with the ſame ſpirit as Paxton, who was now extolled for his fidelity to his friend and patron.

Caſe of Gwin Vaughan,

Amongſt thoſe was Gwin Vaughan, eſq; He had been long in the private confidence of the late miniſter, and was a ſaga-

a ſagacious, ſhrewd, inſinuating, man. Being called upon by the ſecret committee, he was examined with regard to a practice that had been often charged upon the late miniſter, that of obliging the poſſeſſor of a place or office, to pay ſo [illegible] profits of the ſame, to a perſon or perſons, recommended to him by the miniſter. Mr. Vaughan ſaid, as Paxton had done, "That he was not ſure, but his anſwering ſuch a queſtion, might affect himſelf, and therefore deſired to be excuſed from anſwering it." Notwithſtanding this anſwer was as peremptory as that of Paxton had been, and though Vaughan was entruſted with matters of greater conſequence than Paxton was, yet being a man of more importance, the party did not think proper to treat him with the ſame ſeverity; but told him, they would not preſs the queſtion farther at that juncture.

Geo. II. 1741. who eſcapes.

But the moſt conſiderable perſon from whom diſcoveries were expected, was Mr. Scrope, ſecretary to the treaſury, of whom a character has been already given. 1,052,211 l. had, within the term of ten years, been traced into his and ſir Robert Walpole's hands, and leave being obtained of the houſe (Mr. Scrope being a member) he appeared before the committee. But when he was there, the oath of diſcovery appeared to him ſo ſtrong, that he declined taking it; not being ſatisfied in his conſcience, that he could take a general oath, while particular queſtions might ariſe, which he was determined not to anſwer. He ſaid at the ſame time, that he could anſwer to no queſtion about *ſecret ſervice money, without* leave from his majeſty. This *threw the committee into ſome perplexity*, and upon their *preſſing Mr. Scrope to anſwer, whether he would or would not take the oath, he deſired time to conſider of it*, and withdrew. The next time he attended, which was not till the 14th of June, he acquainted the committee, "that he had conſulted the ableſt lawyers and divines, and that they had made his ſcruples ſtronger; that he did not do it to obſtruct the committee, but he could not, as an honeſt man, and with a ſafe conſcience, take the oath That he had laid his caſe before the king, and was authoriſed to ſay, That the diſpoſal of money, iſſued for ſecret ſervice, by the nature of it, requires the utmoſt ſecreſy, and is accountable for to his majeſty only; and therefore his majeſty could not permit him to diſcloſe any thing on that ſubject. That he hoped he ſhould not incur the diſpleaſure of the committee, for if the oath was confirmed, he was ready to be examined." Upon his anſwer, he was no farther preſſed.

See p. 138. Caſe of Mr. Scrope, who refuſes to anſwer.

Geo. II. 1741.

But it fared otherwiſe with perſons of an inferior rank. One Bell, who belonged to the poſt-office, and had been a noiſy dependant upon ſir Robert Walpole, was called upon to give an acccount of ſome money that had gone through his hands; which refuſing to do, he was, by order of the houſe, committed to the cuſtody of the ſerjeant.

Indemnification-bill paſſes the commons.

That ſome of the committee, perhaps the majority, were for a thorough enquiry appeared, however, pretty plain from a bill being ordered into the houſe of commons, for indemnifying ſuch perſons, as ſhould, upon examination, make diſcoveries, touching the diſpoſition of public money, or concerning the diſpoſition of offices, or any payment or agreement, in reſpect thereof, or concerning other matters relating to the conduct of Robert earl of Orford.

This bill made a rapid progreſs through the houſe of commons. The earl of Orford's friends being perſuaded, that it would be thrown out by the peers, they gave it very little oppoſition. But when it came before the peers, its progreſs was ſtopped. It was the 25th of May before it was read a ſecond time; and a motion having been made, for its being committed, the ſame was oppoſed by lord Carteret.

Oppoſed in the houſe of peers by lord Carteret.

His lordſhip had been long eminent for his oppoſition to the miniſter's meaſures, and, as has been obſerved, had made the motion in the houſe of peers, for removing him from his majeſty's preſence and councils. But upon this occaſion he ſhewed himſelf to be more a friend to juſtice, than he was an enemy to ſir Robert Walpole. His arguments againſt the bill were ſtrong and perſpicuous. He ſaid, that it was not only unprecedented, but inconſiſtent with juſtice, the laws of nature, and the fundamental maxims of the conſtitution. "Juſtice, ſaid he, I ſhall admit, requires that all public offenders ſhould be puniſhed; but it likewiſe requires that the innocent ſhould be protected and guarded, not only againſt the danger of being unjuſtly condemned, but alſo againſt the danger of being falſely accuſed. I ſhall not ſay, that the noble peer, whoſe conduct is now under the conſideration of the other houſe, is either guilty or innocent; but charity requires a preſumption in favour of his innocence, and therefore, till he is accuſed of ſome particular crime, and we have ſome ſort of proof of that crime, I cannot think it juſt to invite all the rogues in the nation to accuſe him, by giving them an indemnity for the crimes they have been guilty of, provided they can, by their evidence, bring him in as an accomplice of their guilt. When an atrocious crime has been committed, when the crime is certainly and publicly known,

known, but the authors of it unknown, a pardon or an indemnity may be, and has often been, promiſed to any of the guilty, who will come in and diſcover his accomplices; but it is contrary to the laws of nature, and to all laws human and divine, to ſet an innocent man, or at leaſt, one againſt whom there is no proof or preſumption of a crime; I ſay it is contrary to all laws, human and divine, to ſet ſuch a one up as the public butt for all the informers in the kingdom. Againſt ſuch a method as this, no innocence can be a protection; for informers will naturally expect a reward, if they can fix any crime upon a man, thus ſet up as the object of public reſentment. By this means, a few of them would probably be induced to enter into a conſpiracy for charging him with ſome heinous crime, and that conſpiracy might be ſo cunningly formed, as to render it impoſſible for him to prove his innocence, or to avoid condemnation." His lordſhip proceeded then to examine the bill, as giving too much encouragement to informers, and likewiſe to guilty perſons, who might ſcreen themſelves under the indemnity it propoſed. He was anſwered by the duke of Argyle; and ſeveral other ſpeeches were made, both for and againſt the bill, which, upon the whole, was found to be indefenſible, and was therefore rejected, by a majority of 109 (of whom 17 were proxies) againſt 57, (of whom 10 were proxies) but this rejection was attended by a ſtrong proteſt. Geo. II. 1741.

Earl of Orford's conduct.

Notwithſtanding the late clamour againſt the earl of Orford, the rejecting this bill was conſidered by the public as a material piece of juſtice. The ſecret committee had diſappointed the enemies of the miniſter, by the inſignificancy of the diſcoveries they had made; and the immenſe ſums which he had beſtow upon writers and printers, in defence of his adminiſtration, though very clearly made out, was treated rather with ridicule than deteſtation. Neither his friends nor his enemies were ignorant that eaſineſs of nature was his chief failing, and, to that, this unſeaſonable liberality was attributed. As to the great charge againſt him of corruption at elections, all the induſtry that had been employed, could bring out very little againſt him; and that too was ſo very ill-ſupported, that it did not amount to a direct charge againſt him. Some doubtful facts, with regard to a contract, for paying the troops in America, were urged, and the names of Burrel, Briſtow, and ſome other members of parliament, were brought in queſtion, but nothing could be fixed either upon them or the miniſter, that was ſo much as reprehenſible. Some dealings about the corporation of Wey-

Geo. II. 1741. mouth bore the worſt aſpect againſt him, but when they are candidly conſidered, they are very immaterial, amounting to no more than that ſome officers of the revenue in Weymouth were turned out in order to ſerve two friends of the miniſter at the general election. So petty an affair, if it was an abuſe of power, never had been animadverted upon in other reigns againſt the meaneſt ſervant of the crown; but was now ſwelled in the report, made by the ſecret committee, into an almoſt capital charge; but when it became public, it was diſregarded. The other particulars of that famous report are too immaterial to be ſpecified here. The members of the committee that were in the ſecret of the ſtipulation for lord Orford's indemnity, were far from being eaſy. The nation had ſeen no proofs, or but very unſatisfactory ones, of the miniſter's guilt, and therefore thought that either the charge againſt him had been greatly exaggerated, or that the proofs of it were induſtriouſly ſtifled by thoſe who had been the moſt active in promoting it.

The obſtinate behaviour of Paxton and others, in not anſwering the queſtions put to them by the ſecret committee, and the lords rejecting the indemnification-bill, were urged as the reaſons for the vaſt diſappointment the public had met with; and it was pretended, that ſomewhat very atrocious would come out when they had examined, as they were preparing to do, the papers relating to the convention. In the mean while, the rejection of the indemnification-bill by the peers gave great uneaſineſs to many, who really remained in the anti-miniſterial party, and they reſolved to make a trying motion, which ſhould put the intentions of the new miniſters in the ſecret committee entirely out of doubt. For on the 26th of May, the very day after the bill had been rejected by the lords, a motion was made in the houſe of commons, "That a committee ſhould be appointed to ſearch the journals of the houſe of lords for precedents in relation to the foreſaid bill." As the whole ſcope of this motion was not underſtood by all the houſe, the motion was carried by a majority of 164 againſt 159, and a committee, which was to make a report, was accordingly appointed. The report being next day made by lord Hillſborough, a motion enſued, "That the lords refuſing to concur with the commons of Great Britain, in an indemnification neceſſary to the effectual carrying on the enquiry now depending in parliament, was an obſtruction to juſtice, and may prove fatal to the liberties of this nation."

Motion upon rejecting the indemnification-bill.

When

When the temper of the people of England, at the time this motion was made, is duly weighed, it is hard to say, wh: the conſequence might have been, had it ſucceeded. The new miniſters, who were in the ſecret of affairs, were ſo [illegible] to oppoſe it decently, as they had been induſtrious in declaiming that the indemnification was abſolutely neceſſary. A long and a ſharp debate enſued, and the new miniſters declared themſelves ſtrongly againſt the motion, whilſt the country-party ſupported it with equal keenneſs. It happened fortunately that ſome of the tories in the houſe did not think, matters had gone ſo far as to make it neceſſary to agree to a motion, which might throw the public into convulſions, and therefore voted againſt it, by which it was loſt. Geo. II. 1741.

A motion was made, and carried this ſeſſion, which occaſioned great expectations in the public. It was for a bill, for taking, examining, and ſtating the public accounts of the kingdom. It had been moved for on the 20th of January, by ſir John Ruſhout; but it was the 20th of May following before it was ripe for the report, which was made by ſir John Hynde Cotton; "That the number of the commiſſioners for carrying the bill into execution ſhould be ſeven; that no perſon ſhould be a commiſſioner, who had any office of profit, or was accountable to his majeſty; that the commiſſioners ſhould be members of that houſe, and that they ſhould be choſen by way of ballotting." The friends of the late miniſter were a good deal alarmed at this bill, and prevailed with the new part of the adminiſtration to join with them in getting a majority of the commiſſioners on their ſide. Great intereſt was made by both parties, and at laſt the following gentlemen appeared to have the majority; ſir Richard Corbet, Charles Hamilton, eſq; ſir William Middleton, James Weſt, eſq; George Greenville, eſq; John Bance, eſq. Of theſe, the majority was looked upon as being of the court-party, which rendered the friends of the bill ſo indifferent about it, that on the 1ſt of June, it was thrown out by a majority of 136 againſt 66. Committee of accounts moved for;

The houſe of peers, about this time, were employed in an enquiry of great importance to the nation. The Engliſh fortifications and caſtles upon the iſland of Minorca, had for ſome time been ſhamefully neglected. General Anſtruther, who was lieutenant-governor of the iſland and fort St Philip, under the earl of Hertford, who was ſo infirm, that he never attended, was then in England, and was ordered to attend the houſe of lords. It appeared by papers, then before par- and for an enquiry into the ſtate of Minorca.

Geo. II. 1741. liament, that admiral Haddock had received intelligence that a Spaniſh embarkation was actually intended, and ſome of the lords thought there was great reaſon to believe that it was intended againſt Minorca. The liſt of the officers upon that eſtabliſhment being laid before the [illegible], it appeared, that out of nineteen officers, only one adjutant, one of the joint ſecretaries, the provoſt-marſhal, and one ſurgeon's mate, and the ſignal-man, are attending their duty in the iſland. Upon this, a motion was made, which tended to inflict a cenſure upon the authors of this negligence; but, though that motion was rejected, an addreſs was agreed to be preſented to his majeſty, "to give directions that the officers upon the eſtabliſhment, who are abſent as aforeſaid, do forthwith repair to their reſpective poſts; and that his majeſty, out of his royal care of ſo important a place, will be pleaſed to give the ſtricteſt orders, that, for the future, to prevent any ſuch prejudice to the public ſervice, ſuch a number of the ſaid principal and other officers, as ſhall be ſufficient to perform the ſervices belonging to the ſaid eſtabliſhment, be conſtantly reſident on the place."

This matter, however, did not end without very long debates, which were managed againſt the miniſtry, chiefly by the duke of Argyle; and a ſtrong proteſt was entered by the peers againſt rejecting the firſt motion.

Annals of Europe.

The papers, relating to foreign affairs, which had been laid before parliament, were now carefully canvaſſed by the country-party, in hopes to find ſomething out of them, that might ground an impeachment of the late miniſter. But they were diſappointed. When the whole of the negotiations with the queen of Hungary and the king of Pruſſia came to be conſidered, nothing appeared, but the moſt diſintereſted conduct on the part of his majeſty, who, indeed, ſeemed on that occaſion to depend leſs upon the advice of his miniſters, than upon his own magnanimity, love of juſtice, and regard for the liberties of Europe. Though, as has been already obſerved, he would have gladly found ſome expedient for bringing about an accommodation between the houſes of Auſtria and Brandenburg, yet in all the letters and negotiations between him and the queen of Hungary, or their miniſters, he gave the ſtrongeſt declarations, that, if that could not be effected, he was reſolved to fulfil, to the utmoſt, his engagements.

Letter from lord Harrington to Mr. Robinſon. Feb. 17, 1740.

Ditto, March 5, 1740.

Motions for papers.

As the earl of Hyndford had been employed for the ſame effect with the king of Pruſſia, and as many propoſitions had been made in confidence on both ſides, the gentlemen of the

the oppoſition imagined, that, were all the letters and negotiations on that head laid before them, ſomething very black would come out againſt the earl of Orford. They were encouraged in this way of thinking, by finding amongſt the papers laid before the parliament, a plan of the alliance, which has already been taken notice of, to be formed between the queen of Hungary, Great Britain, Holland, Hanover, Saxony, and Muſcovy, in order to attack Pruſſia all at once, and to make a partition of his dominions; each power reſerving to itſelf that portion of them it ſhould conquer. A prodigious clamour was raiſed in England againſt this project, as if it had been originally formed by the late miniſter, with a view of aggrandizing Hanover at the expence of Great Britain, which never could be benefited by any ſuch partition. But all that appeared was, that ſuch a project had been communicated to count Oſtein, the Imperial miniſter at London, and by him tranſmitted to Vienna; but it did not appear that it came from the Britiſh miniſtry. It was, however, ſtrongly urged, that the king of Pruſſia having come to the knowledge of this treaty, had entirely detached himſelf from the houſe of Auſtria and Great Britain, which had been the ſole occaſion of the lamentable ſtate of affairs in Europe. It was chiefly with a view to come at the knowledge of this fact, that a motion was now made in the houſe of commons, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to give directions that there may be laid before this houſe, copies of all memorials, repreſentations, declarations, and letters, which have been ſent either to his majeſty or his miniſters, by the king of Pruſſia or his miniſters, or by his majeſty or his miniſters, to the king of Pruſſia or his miniſters, and likewiſe of ſuch letters as have been ſent from hence to his majeſty's miniſter at the court of Pruſſia, with the reſpective anſwers to ſuch memorials, repreſentations, declarations, and letters, relating to the ſtate of the war in the empire, and the ſupport and intereſts of the houſe of Auſtria ſince the death of the late emperor." Geo. II. 1741.

This motion was agreed to, and the addreſs preſented to his majeſty, who, on the 25th of January, returned to it the following remarkable anſwer.

"That the ſubject-matter of this addreſs being of the greateſt importance, his majeſty, who is always deſirous of granting the requeſts of his faithful commons, will take it into his moſt ſerious conſideration, and has directed all the tranſactions, to which it relates, to be carefully examined, in

Geo. II. 1741. in order to ſee how far the ſame may be complied with, without prejudice to the public, and [illegible] the confidence repoſed in him by other [illegible]."

The gentlemen in the oppoſition would willingly have thrown all the blame of the diſappointment they had met with upon this anſwer, but it was ſo unexceptionable, that no motion could be formed upon it, without a direct attack, not only upon his majeſty's prerogative, but the conſtitution itſelf.

The late happy turn which the queen of Hungary's affairs had taken, did much more credit to his majeſty, than to the new part of the adminiſtration, who could only join with the unanimous voice of parliament and people in ſupporting her. It was plain, that the friends of the late miniſter preferred their duty to their reſentment by agreeing with every thing propoſed by the new miniſters, who, to make ſome figure with the people, exerted themſelves greatly in ſupporting the meaſures of his majeſty; for, on the 12th of May this ſeſſion, no leſs than 5,723,571. had been granted in the committee of ſupply; all of it, excepting 20,000l. granted for building Weſtminſter-bridge, for the purpoſes of the war, or for ſupplying the deficiencies of the expence of laſt year's warlike operations.

Money granted this ſeſſion.

The great buſineſs of the ſeſſion being over, his majeſty, on the 15th of July, put an end to the ſeſſion by a ſpeech, in which he gave the public great hopes of ſucceſs, from the meaſures he had purſued in favour of the queen of Hungary, and the ſtrongeſt aſſurances that he would continue to ſupport her, and likewiſe carry on the Spaniſh war with the utmoſt vigour. And the parliament was then prorogued.

It is now neceſſary to reſume the hiſtory of the operations of war, which the money, countenance, and arms of Great Britain, ſo greatly influenced.

CHAP. X.

Progreſs of the war in Germany—Auſtrians defeated at the battle of Chazlau—Treaty of Breſlau between Auſtria and Pruſſia, under the mediation of Great Britain—Farther ſucceſſes of the Auſtrians—The French retire to Prague—Siege of Prague—March of Maillebois—The French retire from, but are forced to return to Prague—Blockaded by the Auſtrians—Belliſle's wonderful eſcape from Prague to Egra—The Spaniſh ſaved by the French fleets—King of Sardinia joins the queen of Hungary—Duke of Modena chaſed from his dominions.

THE duke of Argyle having again in diſguſt reſigned all his places, the field-marſhal earl of Stair was appointed to command the army; and upon the new adminiſtration taking place, it was in council reſolved, to ſend a large body of Britiſh troops to the continent of Europe. When their reſolution came to be publicly known, it met rather with applauſe than cenſure, from all parties. In a few days after, all England had a military appearance, and ſeveral regiments [a] were ordered by his majeſty to hold themſelves in readineſs to go abroad. The officers appointed to command them were, field-marſhal the earl of Stair, the lieutenant-generals Honeywood, earl of Dunmore, and Campbell; the major-generals were Howard, Cope, Ligonier, Hawley, and the earl of Albemarle; with the brigadiers Cornwallis, earl of

Geo. II. 1741.

Progreſs of the war.

[a] Horſe.
The 3d troop of horſe guards.
The 4th troop of horſe guards.
The 2d troop of horſe grenadier guards.
The royal regiment of horſe guards.
The king's regiment of horſe.
Major-general Ligonier's.
Dragoons.
Lieut. general Honeywood's.
Lieutenant-general Campbell's.
Lord Cadogan's.
Sir Robert Rich's.
Major general Cope's.
Major-general Hawley's.
Foot.
Three battalions of foot guards.
Major-general Howard's.
Brigadier Cornwallis's.
Colonel Duroure's.
Brigadier-general Pulteney's.
Colonel Campbell's.
Colonel Peer's.
Colonel Handaſyde's.
Brigadier Huſk's.
Brigadier Bragg's.
Brigadier Ponſonby's.
Colonel Johnſon's.
Colonel Bligh's.

Effingham,

Geo. II. 1742. Effingham, Pulteny, Bragg, Huſk, Ponſonby, and to them were added the earl of Rothes and colonel Frampton.

April 30: The whole number of the troops appointed to go abroad were 16,334 men; and never did any body of forces make a more gallant appearance at their review. Howard's and Ponſonby's regiments of foot were the firſt who arrived at Oſtend on the 9th of May; but it was September before the whole were landed there, and orders were given, that they ſhould be joined by an equal number of Hanoverians, and by the 6000 Heſſians that were in Britiſh pay.

As the Dutch were far from ſhowing any hearty diſpoſitions to enter into the common cauſe, many thought that the meaſure for ſending an Engliſh army to Flanders was ſomewhat prepoſterous. But it was urged, that the Dutch, ſeeing England in earneſt, would certainly determine themſelves to fulfil their engagements. The court of England appeared to be perfectly aſſured of their co-operating with it in favour of the queen of Hungary, and ſome diſpoſitions were in great forwardneſs for his majeſty's going over in the autumn to review the confederate army. But the earl of Stair, who had been ſent over, could not with all the ſtrength of his perſonal, as well as political, character, which was very high in Holland, prevail upon them to be ready to take the field with the Britiſh troops. When he had failed in this application, and the affairs of the army required his preſence in England, lord C. principal ſecretary of ſtate, was ſent by his Britannick majeſty with freſh applications to the States-General. He arrived there at a very critical time. The French had declared, that they would ſend 40,000 troops into the Auſtrian Netherlands, but that they were not meant to act againſt their High Mightineſſes. The pannic with which that declaration ſtruck the Dutch, was, however, ſo great, that their government was in a manner forced to conſent to an augmentation of their forces both by ſea and land.

Lord C. goes ambaſſador to the States-General.

Notwithſtanding this augmentation taking place, the influence of France was ſuch as rendered it ineffectual. Cardinal Fleury intimated a cold diſlike of it to Van Hoey, who alarmed his maſters with ſpecious accounts of the pacific diſpoſitions as well as the immenſe power of France; while Mr. Trevor, the Britiſh reſident at the Hague, called upon their High Mightineſſes to witneſs the reparation of the town and harbour of Dunkirk, in defiance of the treaty of Utrecht. In anſwer to this, Fenelon, the French ambaſſador, a miniſter of great art and addreſs, offered to put Dunkirk into the hands of their High Mightineſſes till a general peace. This was an inſidious propoſal, calculated to keep the Dutch neu-

Negotiations at the Hague.

tral;

tral; nor was any regard paid to it. But ſtill the French party was ſo prevalent in the aſſembly of their High Mightineſſes, that they could not be brought to declare war, nor even to promiſe to take the field after the Britiſh troops and their auxiliaries ſhould appear in Flanders. Geo. II. 1742.

Such was the ſtate of affairs in Holland when lord C. landed there. He left the government and people of England under great uneaſineſs about the conduct of the Dutch, and their refuſing to take the field even after the Engliſh army was in Flanders. They had not even been prevailed upon to promiſe to act in that event, though England had in every reſpect acted as if ſhe had been ſure of their immediately breaking their neutrality. The particulars of the negotiation with which his lordſhip was charged, were kept very ſecret, but they have ſince appeared in a memorial delivered by Van Hoey to the court of France. Uneaſineſs of the Engliſh nation. November 5, 1742.

His firſt propoſition was, that the republic ſhould join with England and her allies in declaring war againſt France. The ſecond was, that they ſhould garriſon the ſtrong places belonging to the queen of Hungary in Flanders, that ſhe might be at liberty to employ her troops in the field. Thirdly, that Great Britain ſhould take into pay 30,000 of the republic's troops, who were to be lent to the queen of Hungary. The fourth and laſt was an offer of a new treaty of commerce between Great Britain and Holland. Lord C's propoſals,

According to Mr. Van Hoey's relation, their High Mightineſſes civilly declined all thoſe propoſitions. They profeſſed an abhorrence of rendering the war more bloody by becoming parties in it. They ſaid, that their troops were deſtined only for their own defence, and that the republic had never hired them out. As to the laſt propoſition, it appeared to be very acceptable; but they inſinuated, that even that would be bought too dear, if it obliged them to enter into a war. rejected.

This indeciſion of the Dutch rendered all the princes of Europe extremely cautious how they proceeded. The great ſucceſs of Kevenhuller and the Auſtrian generals in Germany, and the perpetual remittances made from England to the queen of Hungary, had entirely changed the face of affairs there. Kevenhuller had defeated marſhal Thoring at Memberg, and had opened to himſelf a road into the heart of Bavaria, where Mintzel with his detachment took Munich itſelf, the capital of that electorate. Upon this ſucceſs Kevenhuller received a moſt affecting letter from the queen of Hungary, with the pictures of herſelf and her ſon. The letter was read, and the pictures expoſed to the view of the ſoldiers Succeſs of the Auſtrians under Kevenhuller,

Geo. II. 1742.

diers as well as the officers, and produced amongſt them all a kind of a ſolemn unanimous act of devotion to her ſervice. At the ſame time baron Berenclau entered Bavaria by another quarter with an Auſtrian army drawn from woods and wilds in the moſt remote dominions of Auſtria. Their appearance was dreadful if not hideous, and living at free quarters, they were extremely terrible to the inhabitants. They were, however, uſeful and indefatigable troops, and drove count Thoring with his Bavarians under the cannon of Ingolſtadt; beſides performing a great many other important ſervices to their ſovereign.

to whom the queen of Hungary ſends a letter with her and her ſon's pictures.

The elector Palatine's dominions put under contribution by the Auſtrians.

Amongſt the other princes of the empire who had joined the Imperial and French intereſt, was the elector Palatine, part of whoſe dominions were on that account laid under contribution by Kevenhuller. To balance theſe great advantages, marſhal Broglio ſent a body of French and Bavarians under prince Maurice of Saxony, who laid ſiege to Egra, and took it by capitulation on the 19th of April; and about the ſame time the citadel of Glatz ſurrendered, for want of proviſions, to the king of Pruſſia.

Retreat of the Pruſſians and Saxons out of Bohemia.

Notwithſtanding this, the operations of the campaign were, upon the whole, greatly in favour of the Auſtrians, who by the daily recruits which arrived from all quarters, were now enabled to form a more regular plan of proceeding. Prince Lobkowitz, at the head of 11,000 foot and 5000 horſe, was appointed to obſerve the motions of the French in Bohemia, while prince Charles, at the head of 30,000 foot and 18,800 cavalry, advanced againſt the Pruſſians and Saxons, who now retired with great precipitation out of Moravia and abandoned Olmutz. The retreat of the Pruſſians into Sileſia, and that of the Saxons towards Leutmeritz in Bohemia, gave great advantages to the Auſtrians, who had now an opportunity of uniting their whole force againſt the French under Broglio, who was too ſtrong for prince Lobkowitz ſingly. But the ever active king of Pruſſia having received a reinforcement of 32,000 men under the prince of Anhalt Deſſau, returned to Bohemia, to prevent the junction of prince Charles and prince Lobkowitz. By the force of generalſhip the king effected his plan, and, at laſt, his army and that of prince Charles came to a general battle at Chazlau, about 35 miles ſouth-eaſt of Prague. The regular troops on both ſides were in number pretty equal, but the Auſtrians had the advantage of having a vaſt number of irregulars, who did them great ſervice. The battle continued four hours with the utmoſt obſtinacy; the Auſtrians fought bravely, and the Pruſſians deſperately.

Battle of Chazlau gained by the king of Pruſſia.

perately. The former fought for their ſovereign, the latter for their ſafety; the courage of the Auſtrians, however, muſt have overpowered the intrepidity of the Pruſſians, had not the rage of plunder ſeized the irregulars, who had actually forced themſelves into the Pruſſian camp. Their example infected the regulars of the Auſtrian right wing, who followed them into the camp; and thereby the main body of the Auſtrians being expoſed, his Pruſſian majeſty ſeized the critical opportunity, and gained the battle ſo far as to oblige prince Charles to retire, though the loſs was pretty equal on both ſides, each loſing about 3000 men. Geo. II. 1742.

His views, and diſcovery of the French treachery.

It is pretty certain that nothing but the uneaſineſs of the emperor, who grew jealous of the Saxons, the unſteady if not faithleſs conduct of the French, and the invincible haughtineſs of the court of Vienna, could have induced his Pruſſian majeſty to return to Bohemia. But he ſaw, that if the Auſtrians ſhould deſtroy the French, which was more than probable, he muſt be left to the mercy of the court of Vienna, from which he had nothing to expect. Therefore though he was greatly diſſatisfied with the French, he was obliged, if poſſible, for his own ſake, to ſave them.

An accident which happened immediately after the battle, ſhewed him the dreadful precipice he had eſcaped. He had propoſed by a courier to Broglio, that he ſhould gain a march upon prince Lobkowitz, and to have joined his army. Though this was extremely practicable, Broglio having 20,000 and prince Lobkowitz not above 10,000 men in his army, yet Broglio abſolutely refuſed to do it without orders from his court, which could not be obtained time enough; and in the mean while, notwithſtanding his vaſt ſuperiority, he made no attempt againſt Lobkowitz.

An Auſtrian officer, who was brought in wounded, unravelled this myſtery. For his Pruſſian majeſty having had the humanity to viſit him, the officer told him, he could not die in peace without teſtifying his gratitude by diſcovering the falſehood of his French allies on whom he ſo much depended. The king ſeeming either to ſlight or to ſuſpect this intimation, the Auſtrian obtained leave to ſend a courier to Vienna, who returned with an intercepted letter from the French court to marſhal Broglio, which contained orders to keep his troops always at a diſtance from thoſe of Pruſſia, and to obſerve the motions both of that king and his army, and that for weighty reaſons, but above all things to hazard nothing; and if preſſed by his Pruſſian majeſty, to plead the abſence of Belliſle, or the want of ſufficient powers, for an excuſe.

Though

Geo. II. 1742.

Though it was wiſe in the queen of Hungary to furniſh his Pruſſian majeſty with this proof of French perfidy, yet it ſeems pretty certain that ſhe herſelf, at this very time, entertained a ſecret agent from the French court; and it was publicly ſaid that ſhe had the like at Paris. Som what of the latter ſeems to have been ſuſpected at the Hague; for when Van Hoey flatly demanded of cardinal Fleury what truth was in that report, though his eminency ſeemed to deny it, yet he added, "that certainly the queen of Hungary would not take any ineffectual ſtep in caſe ſhe addreſſed herſelf to this court, ſince nothing is ſo much wiſhed here as the bringing about a ſalutary peace."

Management of the queen of Hungary.

Letter from Van Hoey to Fagel, June 11, 1742.

King of Pruſſia meditates a peace with the Auſtrians,

Be this as it will, ſince the battle of Czaſlau, his Pruſſian majeſty had determined to make a ſeparate peace with the queen of Hungary, under the mediation of Great Britain. He made ſo little ſecret of this, that he covertly upbraided the perfidious conduct of the French court in a letter to marſhal Broglio, who ſent it to Verſailles; and at the ſame time he told marſhal Belliſle, who ſuſpecting his intention, viſited him in his camp the 5th of June, that he would conclude a ſeparate peace forthwith. He was as good as his word; and that happy event was owing to the conduct and wiſe management of his Britannic majeſty, who was inceſſantly inculcating the neceſſity of their uniting to deliver their country; and that the French, by keeping them at variance and in perpetual bloodſhed, were, all the while, only conſulting their own ambitious views. All true Germans, though they durſt not avow it, were of the ſame opinion; and not only the elector of Saxony, but the emperor himſelf, now gave ſignal demonſtrations of their being diſſatisfied with the conduct of the French.

which is concluded by the influence and under the mediation of king George.

The earl of Hyndford, the Britiſh miniſter, was employed by the queen of Hungary's full powers to give, in her name, the finiſhing hand to the preliminaries of the treaty; as was count Podiwelts on the part of his Pruſſian majeſty, and it was ſigned on the 11th of July by both miniſters. The reader, on account of the importance of this treaty to England, and of the great conſequences it has ſince been attended with, as well as of the various conſtructions that have been put upon it, will find an abſtract of it in the notes.

His

[a] I. There ſhall be henceforward and for ever an inviolable peace, as alſo a ſincere union and perfect friendſhip, between her Hungarian and Bohemian majeſty on one ſide, and the king of Pruſſia on the other.

II. The

His Pruſſian majeſty himſelf could not diſſemble his ſatisfaction at the concluſion of this treaty, and is ſaid to have expreſt himſelf, that he would be willing to part with one of his hands could he be ſure that it never would be broken. He gave, upon the preliminaries being ratified, a grand entertainment to his officers and the foreign miniſters, in which he expreſſed his eſteem for her Hungarian majeſty and her generals in the moſt generous manner, and applauded the wiſdom and addreſs of the Britiſh ambaſſador. Geo. II. 1742. Behaviour of his Pruſſian majeſty upon the ſame.

In conſequence of the eleventh article, by which the king of Poland as elector of Saxony was invited to accede to the treaty of Breſlau, he immediately ordered his troops, who were advancing into Bohemia, to halt till farther orders; and a negotiation being ſet on foot, a peace was concluded between him and the queen of Hungary, who yielded to his Poliſh majeſty ſome places in the circles of Elnbogen, Satzer, Leitmaritz, and Buntzlaw in Bohemia, in conſideration of which he guarantied to her the poſſeſſion of the reſt of Bohemia; Treaty concluded between the king of Poland and the queen of Hungary.

II. The contracting parties ſhall not grant any ſuccour or aſſiſtance to the enemies of each other, nor ſhall contract any alliance contrary to theſe preliminary articles of peace.

III. There ſhall be a general amneſty on both ſides.

IV. All hoſtilities ſhall ceaſe on both ſides immediately on the ſigning of theſe preſents, &c. The king of Pruſſia ſhall, in ſixteen days, withdraw all his forces into his own dominions; and it ſhall be lawful for ſuch as dwell in the countries hereby yielded to the king of Pruſſia, to ſell their eſtates at any time within five years, and withdraw their perſons and effects, without being ſubject to any tax or impoſition whatſoever on that account.

V. In order to put an end to all diſputes about boundaries, and to deſtroy pretenſions on both ſides of whatever kind they be, her majeſty the queen of Hungary and Bohemia yields by theſe preliminaries, as well for her heirs and ſucceſſors as herſelf in perpetuity and in full ſovereignty, independent of the crown of Bohemia to the king of Pruſſia and his ſucceſſors, as well the Low as the High Sileſia, except the principality of Teſchen, and the city of Trappaw, and the country lying beyond the river Opaw, and the high mountains bounding Upper Sileſia; as alſo the lordſhip of Herrendorf, and other diſtricts which belong to Moravia, though included in Upper Sileſia.

In like manner her majeſty yields for herſelf, her heirs, &c. to his majeſty the king of Pruſſia, the city and caſtle of Glatz, and all the county of that name, with the entire ſovereignty and independency of the crown of Bohemia. In return, his Pruſſian majeſty renounces all pretenſions whatſoever on the queen of Hungary.

VI. The

Geo. II. 1742.

mia; and the peace was proclaimed at Dreſden the 17th of September following. The definitive treaty in conſequence and in the ſame terms of the preliminary treaty concluded between the queen of Hungary and the king of Pruſſia, was on the 28th of July ſigned at Breſlau; and his Britannic majeſty guarantied the execution of the preliminaries on the 24th of June; and the definitive treaty, by a defenſive treaty of alliance concluded at Weſtminſter the 13th of November following with the king of Pruſſia.

The French are obliged to retire in confuſion, and with great loſs, to Prague.

The news of the concluſion of the treaty of Breſlau came like a thunder-bolt upon the court of France, whoſe armies under Broglio and Belliſle, juſt after the battle of Czaſlau, had gained ſome inconſiderable advantages over the Auſtrians, which were greatly exaggerated by Belliſle. The conſequences, however, proved how much the French were loſers in Bohemia upon the whole: for they made a haſty and diſorderly retreat towards Prague. The Auſtrian light troops cut them off at every paſs; they were forced to abandon their baggage, and even their military cheſt, to the enemy; and

VI. The king of Pruſſia ſhall preſerve the catholic religion in ſtatu quo, as alſo the inhabitants of the country in their poſſeſſions, liberties, privileges, &c. without derogation however, to an entire liberty of conſcience for proteſtants and the rights of the ſovereign.

VII. The king of Pruſſia charges himſelf wholly with the repayment of what was lent by the Engliſh merchants on the ſecurity of the revenues of Sileſia, by the contract of London, January 21, 1735.

VIII. Priſoners on both ſides ſhall be releaſed without ranſom, and all contributions ſhall ceaſe.

IX. Whatever concerns commerce, ſhall be regulated by the peace.

X. There ſhall be drawn and ſigned on the matter of the preliminaries, a peace in due form within convenient time, and till then theſe articles ſhall have all the force of ſuch a peace.

XI. The two high contracting parties agree to comprehend in theſe preliminaries of peace, his majeſty the king of Great Britain in that quality, and alſo as elector of Hanover, her Imperial majeſty of all the Ruſſians, his majeſty the king of Denmark, the States General of the United Provinces, the moſt ſerene houſe of Wolfenbuttle, and his majeſty the king of Poland as elector of Saxony, provided that within ſixteen days after the ſigning of theſe preſents ſhall be duly notified to him, he ſhall withdraw his forces from the French army in Bohemia, and out of all the dominions of her majeſty the queen of Hungary.

XII. The exchange of the ratifications of theſe preſents ſhall be made at Breſlau in eight or ten days from the ſigning of theſe preliminaries. In the faith of which, &c.

Breſlau, June 11, 1742. Hindford, L.S. Podiwelts, L.S.

the

the very peaſants, deſtroyed their ſtragglers with clubs and pitchforks wherever they fell into their hands. Geo. II. 1742.

To do Broglio juſtice, had it not been for a judicious ſtand he made, the whole French army muſt have been cut off; but he was unable to cure his ſoldiers of their panic, which was ſo great, that one part of them haſtily entering Prague, ſhut the gates upon their friends who were without. In the mean while, prince Charles had made himſelf maſter of Teyn, Frauenberg, Pilſeck, and ſeveral other places into which the French had put garriſons. It was the 25th of June before prince Charles had compleated his junction with prince Lobcowitz, by which his army amounted to 60,000 men; and he was enabled to form the ſiege of Prague. By this time, marſhal Belliſle, who had made a tour to Dreſden, in order to prevail with the king of Poland not to abandon the confederacy, had returned to Prague, and after ſome conſultation with Broglio, they called in all their poſts, and thereby their garriſon, or rather their army, amounted to about 26,000 men. They then fortified themſelves in a kind of peninſular meadow formed by the winding of the river Moldau, making their front, which was but narrow, as ſtrong as they could, their flanks and their rear being ſecured by the Moldau as well as by the cannon of the city; while prince Charles with his Auſtrians occupied the riſing grounds all around. But as ſoon as they appeared in view of the French, Belliſle, by a trumpet, demanded a conference with the marſhal count Konigſegg, which was granted. Siege of Prague formed.

The two generals being met, Belliſle, who, ever ſince the concluſion of the treaty of Breſlau, had foreſeen all that had happened, and was provided with credentials accordingly, offered immediately, in virtue of his plenipotentiary powers, to open the conferences for effecting a general peace. The great duke had, by this time, arrived in the Auſtrian camp, and Konigſegg was before inſtructed to decline all propoſitions of that kind, becauſe the queen his miſtreſs would give ear to nothing without the participation of her allies. Belliſle knew the king of England only could be meant; and in confidence declared to Konigſegg, that he was willing, in the names of his Imperial and moſt Chriſtian majeſties, to treat concerning ſecularizing the biſhoprics of Oſnaburg and Hilderſheim, and annex them in perpetuity to the houſe of Hanover. But this bait likewiſe failing, the conferences were broken up, and Belliſle returned to his camp. Negotiation between Belliſle and Konigſegg.

It was a new thing to ſee an army of 26,000 of the beſt troops in Europe beſieged. Belliſle, who upon this occaſion

Geo. II. 1742. acquitted himſelf with great ſpirit, ſaw that he had nothing but famine to fear. He knew that the Auſtrians, as yet, knew little of the art of attacking or defending places; but they were formidable by their numbers, by their knowledge of the country, by their valour in the field, in detached parties eſpecially, and in being acquainted with the language of the inhabitants, and poſſeſſed of their affections.

Advantages of the Auſtrians.

Another conference being held between the two generals, Belliſle preſented to Konigſegg a letter addreſſed to him from cardinal Fleury. The contents of it tended to juſtify himſelf from being the author of the war, and to throw the whole blame of the war upon the marſhal Belliſle. "Many people, ſaid he, know how much I have oppoſed the reſolutions which we have taken, and that I was, in a manner, forced to yield to the preſſing motives they alledged; and your excellency is too well informed of all that is paſt, not to gueſs eaſily who it was ſet the whole machine at work, and determined his majeſty to enter into a league ſo contrary to my inclinations and principles." By the remaining part of the letter it appears, that ſix months before, Waſner, the Auſtrian miniſter, then at the court of London, "had received propoſitions of peace from the cardinal," and that Konigſegg himſelf was not, in his own private opinion, diſinclined to the propoſitions that had been thrown out to him by Belliſle.

Negotiations renewed.

Fleury's letter, dated July 11, to Konigſegg.

Not only the contents, but the manner of delivering this letter by the hand of the very perſon whom it accuſed as being the author of the war, were proofs of the great decay of the writer's intellectual faculties. For though this letter is dated July the 11th, yet he had, the very day before, ſent another letter to ſeveral French miniſters at foreign courts, in which are the following expreſſions: "I am very much obliged to you, ſir, for being ſo kind as to give me advice that ſome evil-minded perſons ſpread, more than ever, even in Paris, the report of our having ſent privately a miniſter to the court of Vienna, in order to negotiate an accommodation there, before the king of Pruſſia thought of concluding one.—All the world knows, indeed, that I love peace, and this I never concealed; but it is falſe that I ever made any propoſitions for one, directly or indirectly.—If, after this, any body can doubt it, the court of Vienna may eaſily give me the lye."

July 10. His letter to the French Miniſters.

As this letter was wrote, and intended public in the French king's name, the court of Vienna took the cardinal miniſter at his word, and, in order to give him the lye, fairly publiſhed his letter to count Konigſegg, by the advice, it is ſaid, and

His letter publiſhed by the Auſtrians.

and with the privity of Belliſle himſelf, who little knew the contents of the letter when he preſented it to Konigſegg. This gave the cardinal great diſquiet, and produced a pretty ſharp letter from him to Konigſegg. Geo. II. 1742.

In the ſecond conference between the two generals, Belliſle offered to evacuate all that the French held in Bohemia, provided they had leave to march off with their arms, artillery, and baggage. The court of Vienna was obſtinate enough to reject this propoſal, and would hear of no terms but thoſe of the French ſurrendering priſoners of war. But thoſe being refuſed, all conferences were at length broken off, the place was inveſted on all ſides, and the trenches opened the 28th of July; and that very day Feſtititz, an Auſtrian general, at the head of 10,000 Hungarians, chiefly horſe, had orders to approach nearer to Old Prague, and to ſtraiten the beſieged on that quarter; and he took poſt accordingly, about three quarters of a mile from the ſuburbs. Conferences continue.

Belliſle, who now commanded in Prague, looked upon all thoſe diſpoſitions with great unconcern, and ſent repeated advices to his court, with which he kept a daily correſpondence, that he feared nothing from any enemy but famine; and that if that enemy ſhould prove intolerable, and the Auſtrians continue to preſs the ſiege, he ſhould be ſtill able to make good a retreat. He gave ſignal proofs of his being able to perform what he had undertaken. He ordered the count de Gramont to attack the body of Hungarians under Feſtititz; and though he was at the head of only a ſmall detachment of the French troops, he obtained many advantages over the Hungarians, and brought off ſome trophies of victory. They took the precaution, however, to burn part of the fine ſuburbs of the city, to prevent Feſtititz from making a lodgment there; while the Auſtrians began to draw lines of communication and other operations, which were ſo awkward and void of military knowledge, that they were ridiculed by the French. It is not material for this hiſtory to give the whole particulars of this long and important ſiege. It is ſufficient to ſay, that the French behaved with great ſkill and courage, and made ſo many deſperate ſallies (ſome of which were equal to pitched battles) that they never ſuffered their beſiegers to make regular approaches towards the place. Actions between the French and the Auſtrians.

While the Auſtrians and Hungarians were thus ineffectually and unſkillfully puſhing the ſiege of Prague, England was kept in the utmoſt ſuſpenſe and ignorance as to the event. The ſanguine friends of the queen of Hungary, prepoſſeſſed as they were with the higheſt opinion of her generals, imagined Progreſs of the ſiege.

Geo. II. 1742. gined that they never would have refuſed to let the French retire, had they not been ſure of obliging them to ſurrender priſoners of war. Their expectations were heightened by the inſincerity of the Auſtrians, who daily publiſhed the moſt pompous accounts of their ſucceſſes, and of the diſtreſs of the French; and this they did with ſuch confidence, as actually impoſed upon ſome of the greateſt perſonages in England; but had the good effect at the ſame time to put the nation in ſo good an humour, that the public credit daily gained ground, to the infinite ſervice of the common cauſe at that dangerous conjuncture.

The French diſtreſſed by famine. But famine, the enemy which the French generals moſt dreaded, now attacked them, and brought the troops to ſuch diſtreſs, that without ſome ſignal relief it was plain they could not ſubſiſt many days. Neither the honour nor the intereſt of France could ſuffer her to ſacrifiſe ſo fine an army without one effort to ſave it. Fleury, by his late inconſiſtent conduct, was beginning to forfeit the eſteem of his maſter, whom he had all along endeavoured to perſuade, that pacific meaſures would at laſt bring about all that France wanted to effect. He had, therefore, endeavoured to conceal the true ſtate of the French army in Prague from the knowledge of his maſter; his real deſign being, that they ſhould ſurrender themſelves to the Auſtrians, and that thereby France ſhould be put under a neceſſity of making peace upon any terms. The French king, however, by the addreſs, it is ſaid, of a favourite miſtreſs, had a ſight of a letter wrote to her by Brogly, containing a pathetic deſcription of the diſtreſſes of his army in Bohemia; and immediately it was reſolved in council, notwithſtanding all the oppoſition made by Fleury, that an attempt ſhould be made to relieve Prague. The marquis de Fenelon, their ambaſſador at the Hague, had already ſuggeſted the means of doing this, by ordering Maillebois, who was ſtill in Weſtphalia, at the head of 42,000 freſh troops, to march inſtantly to Bohemia.

Maillebois ſent to relieve Prague.

This expedient, at firſt, was thought to be both impracticable and dangerous. The emergency was preſſing, and Maillebois had a march of upwards of 600 miles moſtly thro' an enemies country, full of defiles and dangerous paſſes, to perform. The interiour parts of France was unprovided of troops, upwards of 150,000 being already ſacrificed in Germany, or ſerving there, and 40,000 of the troops of his Britannic majeſty were then upon the confines of France. Thoſe conſiderations were ſtrongly urged by the cardinal and his creatures in the council, but the marquis de Fenelon undertook

took for the continuance of Holland's neutrality; and it was improbable, that, without the Dutch, the Engliſh and their allies would attempt any thing againſt France. Geo. II. 1742.

At all events the reſolution of Maillebois's march was put in execution, and the ſame was intimated to the Imperial court. The emperor at firſt urged, that his own dominions ſhould be delivered preferably to any other undertaking; and, in this he was ſeconded by Maillebois himſelf, who was extremely backward in ſetting out upon ſo doubtful and tedious a march. The emperor's advice was certainly the ſoundeſt, and might have been attended with better effects with regard to France than that which was purſued. But he was, by this time, fallen not only under contempt, but ſuſpicion, at the French court; and Maillebois began his march from Weſtphalia to Bohemia in the middle of Auguſt, under the ſanction of a reſcript which the emperor ſent to the diet of the empire. His progreſs.

In this reſcript, his Imperial majeſty recapitulated the offers he and France had made for evacuating Bohemia, provided Bavaria was evacuated likewiſe; and juſtified the march of Maillebois upon the principles of neceſſity ariſing from the unreaſonable obſtinacy of the court of Vienna. The duke de Harcourt then commanded the French troops in Bavaria, Seckendorff was general of the Imperialiſts, and Kevenhuller was general of the Auſtrians; but the deciſion of the fate of Prague, which was hourly expected, kept all parties in a ſtate of inaction. The count de Saxe had now entered into the French ſervice, and gave aſtoniſhing proofs of his activity, vigour, and reſolution; and to him the duke de Harcourt reſigned the command of the French army. His firſt operation was to give the ſlip to count Kevenhuller, and to join the army under Maillebois, which he effected with wonderful addreſs; and both he and Seckendorff joined Maillebois, who had now advanced to Amberg, in the Upper Palatinate, notwithſtanding all the efforts of Kevenhuller to prevent the junction. Reſcript of the emperor. Conduct of count de Sept. 1.

Upon the news of Maillebois advancing, prince Charles turned the ſiege of Prague into a blockade, the care of which he committed to prince Lobcowitz and general Feſtititz, with about 18,000 men, and then he ſet out to oppoſe Maillebois, and near Hayd was joined by Kevenhuller's army, which had given over following that of Saxe and Seckendorff. Mean while, Frauenburgh was ſurrendered to the Auſtrians, and Trenck, the famous partizan, made himſelf maſter by a deſperate attack of Chamb in Bavaria, which was the repoſitory Prince Charles turns the ſiege of Prague into a blockade.

Geo. II. 1742.

of the moſt valuable effects and treaſure of the inhabitants, on account of its ſituation.

Belliſle and Broglio, upon the departure of Prince Charles, formed the ſame deſign that count Saxe and Seckendorff had effected, that of joining Maillebois, who by the acceſſion of the troops from Bavaria, was now at the head of 70,000 men. Had they been able to have ſucceeded in this project, it would have given a new face to the war. The Auſtrians found themſelves too weak to continue the blockade before Prague, and therefore raiſed it. Upon this, the two French marſhals marched out of Prague, and advanced to Leutmaritz, and on the 7th of October Maillebois was in the neighbourhood of Egra. Prince Charles hearing of the march of the two marſhals, immediately uſed ſuch expedition, as to make himſelf maſter of the paſſes in the circle of Satz, thro' which he knew they muſt paſs before they could effect a junction with Maillebois; and this precaution entirely diſconcerted the ſchemes of all the three French marſhals, they finding it impracticable to force thoſe paſſes, particularly that of Caden. Maillebois was obliged to return to Egra, which was ſtill in the hands of the French; Belliſle and Broglio marched back to Prague; the former being followed by prince Charles, and the two latter by prince Lobkowitz, with a ſtrong detachment from the main army.

He marches againſt Maillebois.

Conduct and progreſs of Maillebois.

It was generally allowed, that, in all this expedition, Maillebois acquitted himſelf as an able, though not an enterprizing, general. But it ought to be mentioned, that cardinal Fleury ſtill had influence enough at the French court to procure orders to be ſent him to act upon the defenſive, and to hazard no battle in which he run a riſque of being defeated. He accordingly, with great art, evaded a battle which ſeveral times ſeemed inevitable, and, through inexpreſſible difficulties, he reached the confines of Bavaria, where he reſtored the emperor to the poſſeſſion of his capital; but ſoon after he was obliged to reſign his command to Broglio, who eſcaped out of Prague to Bavaria in the diſguiſe of a courier.

The affairs of the emperor now wore a more promiſing aſpect, but thoſe of France were not mended. Belliſle was once more ſhut up in Prague by prince Lobkowitz, who was almoſt the only general who now kept the field, the other generals being retired with their troops into winter quarters, about the 15th of December.

The troops go into winter quarters.

Now was the time for Belliſle to make good his promiſe of effectuating a retreat from Prague. The French miniſtry preſſed him to it; not only famine, but mortality began again

again [illegible] his troops, which now conſiſted of about 17,000, [illegible] he had no manner of proſpect of relief. He bore up, however, againſt all misfortunes with a ſpirit that communicated itſelf both to officers and ſoldiers, and few days paſſed without ſkirmiſhes, in which the French generally had the better. Thoſe ſkirmiſhes being chiefly in attacking or defending the Auſtrian magazines, which lay at ſome diſtance from Prague, prince Lobkowitz ordered them to be guarded by the flower of his army, in hopes that famine would ſoon compel the enemy to ſurrender. Geo. II. 1742. Retreat of Belliſle from Prague.

Belliſle, who had formed his deſign of eſcaping with impenetrable ſecrecy, had with wonderful diligence remounted his cavalry and repaired his carriages, and he ſent them almoſt every day out to forrage. At laſt, on the 17th of December, having kept the gates of the city ſhut all the preceding day, by making on one quarter of the town a feint of a general forrage, the Auſtrians were ſo far deceived by it, that he marched out of the oppoſite quarter, and got a day's march of prince Lobkowitz, who prepared to follow him when it was too late. The prodigious extent of the walls of Prague, rendered his attempt the more practicable; and the more effectually to amuſe the enemy, he left a garriſon under monſieur Chevert in the city. According to his own account, he marched out at the head of about 11,000 foot, and 3250 horſe, with 5 or 6000 ſumpter and waggon horſes, waggons, bread for twelve days, thirty pieces of cannon, powder, ball, and all other implements; and to compleat the maſtery of his management, he had even perſwaded his officers to part with a great deal of their heavy baggage, in hopes of their being relieved by count Saxe. He had thirty miles of plain country to march before he came to the defiles, the ground covered with ſnow, the ſeaſon exceſſively ſevere, all the country round his enemies, and prince Lobkowitz, with an army of 20,000 freſh troops, 8000 of whom were horſe, in his rear. Under all thoſe diſcouragements, he arrived at the defiles before he was overtaken. He had planned his march ſo well, that though the Auſtrian cavalry had occupied the paſſes upon the two principal roads towards Egra, yet the hardneſs of the froſt which was upon the ground, enabled him to ſtrike through moraſſes that never perhaps had been trodden before; he himſelf always pointing out the way, though he was by a violent rheumatiſm confined to his coach or ſedan during the whole march. The Auſtrian huſſars, all this while, were harraſſing his army on their front and rear; and many of the French dropt down dead through the fatigue His diſpoſitions and force. Dated Egra, December 30, 1742.

Geo. II. 1742.

tigue of their march and the ſeverity of the weather: and though at one time Lobkowitz might have fought him upon pretty equal terms, yet he choſe to decline engaging, without a manifeſt ſuperiority, men whom hardſhips had rendered deſperate; and Belliſle, in twelve days, arrived at Egra, without loſing a man, according to his own account, but through the ſeverity of the march and weather, which killed about 1000, and carrying with him 30 pieces of cannon.

He reaches Egra.

Having thus brought to a concluſion the campaign in Germany, the event of which was ſo very intereſting to England, it is now proper to attend the operations in Italy and the ſouthern parts of Europe, where our naval power had a moſt glorious influence.

Naval attempts and actions by the Engliſh.

One of the greateſt misfortunes of the late adminiſtration and admiralty had been, that though a great many ſhips were often in commiſſion, yet they found it impracticable to get them manned time enough to anſwer the impatience of the public. This, together with the croſſneſs of the winds and tides, was the reaſon why, laſt year, ſir John Norris loſt ſeveral opportunities of intercepting the Spaniſh treaſures coming from America. Some of his private captains performed exploits that amazed the enemy, and did their country honour. Captain Harriſon, in the Argyle, took five prizes at Rendonello near Vigo. A ſhort encounter happened between the captains Barnet and Balchen, and ſome French men of war, whom the former took, or pretended to take, for Spaniſh galleons; but the miſtake being diſcovered, they parted good friends, though not till after the French had ſuffered very ſeverely.

Affairs in the Mediterranean.

The reader has already been acquainted, that immediately upon the death of the emperor Charles VI. the court of Spain laid claim to all the Auſtrian dominions in Italy. To make this claim good, no ſooner was the neutrality for Hanover known to be ſtipulated, than a fleet of tranſports of 200 ſail, with 15,000 land forces on board, ſailed from Barcelona on the 3d of November laſt year, as did Navarro their admiral from Cadiz on the 16th of the ſame month, with 13 ſhips of the line and four frigates; and on the 24th in the night they paſſed the Streights. Admiral Haddock was then repairing his fleet at Gibraltar. It was far ſuperior in ſtrength to that of the Spaniards, conſiſting of one 90, two 80, one 70, four 60, five 50 gun ſhips, and four large frigates, beſides bombs, ſloops, and fireſhips. But a briſk eaſt wind riſing, the Spaniards were driven back, and continued two days in ſight of the Engliſh fleet; and on the 2d of December

ber admiral Haddock bore down againſt them in a line of battle. In the mean while the French Toulon ſquadron, conſiſting of 12 ſail of the line, ſtood in between the two fleets with a flag of truce, and ſent a meſſage to the Engliſh admiral, "that the Spaniſh and his fleet being engaged in the ſame expedition, he muſt obey his orders, and could not avoid his taking the Spaniſh ſhips under his protection." Upon this, Haddock called a council of war, and found himſelf under a neceſſity of returning to Gibraltar, from whence he proceeded to Port-Mahon, where on the 1ſt of January this year he was reinforced by two 90 gun ſhips, five 70, two 50, and one 20 gun ſhip. But, by this time, admiral Haddock was quite worn out, and had contracted an indiſpoſition, chiefly, it was ſaid, on account of his not having been able to do any effectual ſervice to his country: and he reſigned the command of his fleet to Leſtock, who ſailed from Port-Mahon on the 12th of April following. In the mean while, the fleet of tranſports from Barcelona, after meeting with a ſtorm, landed their troops at Orbitello in Italy, while the French and Spaniſh ſquadrons put into Toulon.

Geo. II. 1742.

The French ſave the Spaniſh fleet.

Force of the Engliſh fleet in the Mediterranean,

where Leſtock takes the command.

The queen of Hungary ſaw this ſtorm ready to break upon her, and had no other reſource, from the impending calamities, than the court of England, who adviſed her to apply to the king of Sardinia, whoſe intereſt it was to preſerve the preſent ſyſtem of power in Italy, and who, by his ſituation, could beſt check the ambitious views of France and Spain.

His Sardinian majeſty was, at this time, in the flower of life, and to the hereditary virtues of his family he added an inviolable attachment to his honour, with real perſonal bravery, a conſummate knowledge of the art of war, and a thorough ſenſe of his own importance and intereſt. If was no wonder, with ſuch advantages, if his friendſhip was, at this time, equally courted by all the contending potentates; but true policy did not ſuffer him to be long in a ſtate of indeciſion. Her Catholic majeſty made no ſecret, that her intention was to erect Lombardy into a kingdom in favour of her ſon don Philip, a young prince of very promiſing virtues. This was what the houſe of Savoy, from its almoſt hereditary antipathy to that of Bourbon, greatly dreaded. His Sardinian majeſty, however, made the moſt advantageous terms that he could for himſelf; he ſtipulated a ſubſidy from England; he reſerved to himſelf all his family rights upon the Milaneſe, and obtained ſeveral private articles of ceſſion of places that lay convenient to his dominions. On the other hand, he promiſed

King of Sardinia joins the queen of Hungary.

His character.

Geo. II. 1742. miſed to unite his troops with thoſe of her Hungarian majeſty, to check the Spaniſh and Neopolitan armies, which were then preparing to join and to cover the ſtates of Modena and Mirandola, which were the bulwarks of her Hungarian majeſty's dominions in Italy. A ſecond embarkation of Spaniards being landed in the port of Spezzia, his Sardinian majeſty undertook to prevent their joining with thoſe of Orbetello, who were under the command of the duke of Montemar. And, above all things, it was underſtood that their operations ſhould be favoured by a ſtrong Britiſh fleet being always continued in the Mediterranean.

Spaniſh armies land in Italy.

The two bodies of Spaniards that had landed in Italy, when joined with the Neapolitans, amounted to about 40,000 men. The duke of Montemar having obtained leave from the pope to march through his dominions, all the three bodies joined at Rimini; the duke de Caſtropignano, the general of the Neapolitans, being ſubject to Montemar's orders. Upon this, the king of Sardinia publiſhed a manifeſto, declaring his reſolution to ſupport the queen of Hungary in her poſſeſſion of the Milaneſe; and in the beginning of March this year he entered that country at the head of 30,000 men, and was joined by count Traun, the Auſtrian general, with 17,000 more. The duke of Modena, through whoſe dominions the king of Sardinia muſt paſs in order to attack the Spaniards, concluded a private treaty with Montemar, notwithſtanding his profeſſing a neutrality. He rely'd upon the protection of the Spaniards; but the treaty coming to the knowledge of the Sardinian majeſty, he drove him out of his dominions, ſeized upon his dutchy, and took the city of Modena itſelf, with all the ſtrong places belonging to it, while he himſelf retired to the Spaniſh army, of which, by his late treaty with them, he aſſumed the nominal command.

The Sardinians and Auſtrians advance againſt them.

Duke of Modena's dominions ſeized.

CHAP.

CHAP. XI.

The Engliſh fleet in the Mediterranean reinforced.—Character of admiral Mathews.—Spaniſh ſhips burnt in a French harbour.—King of the two Sicilies forced to recall his troops from his father's army by commodore Martin.—Farther operations of the war in Italy.—The Spaniards ſeize Savoy.—King of Sardinia marches to relieve it—which he does—loſes it again.—The Britiſh fleet ravages the coaſts of Spain.—Conſtancy of the king of Sardinia to his engagements with England and the houſe of Auſtria.

BY this time the new miniſtry of Great Britain had reſolved to keep no farther meaſures with France, eſpecially in the Mediterranean, where Leſtock, now a rear admiral, lay off of Antibes, to watch the motions of the French and Spaniſh Squadrons at Toulon. Upon this occaſion Mr. Mathews was made vice-admiral, and had orders to proceed with ſeven ſhips of the line to reinforce the Mediterranean fleet; and to take the command of it upon himſelf; he was appointed at the ſame time his majeſty's miniſter plenipotentiary to all the princes and ſtates of Italy. Geo. II. 1742.

A reinforcement of ſhips ſent to the Engliſh fleet in the Mediterranean.

Though Mathews had obtained this preferment by the intereſt of the new adminiſtration, he never had greatly diſtinguiſhed himſelf as a party man. He was, at this time, advanced in years, but far from being diſqualified from action; his perſon was remarkably graceful, and his appearance ſpoke his character, which was that of courage, openneſs, and freedom. In other reſpects he had great failings. He either was, or had the appearance of being, proud; and he could not diſguiſe his paſſion, which often got the maſtery of him. He had a declared enmity towards Leſtock, who was in every reſpect, but that of courage, his reverſe; and it was thought extremely impolitic in the new admiralty, or rather miniſtry, to join them in the command; as Mathews was not of a temper to make his ſuperiority very eaſy to Leſtock. As the ſummer, however, was to be diſtinguiſhed by ſome bold ſtrokes in the Mediterranean, they could not have pitched upon a better man, or a braver ſeaman, than Mathews, to execute them.

Character of admiral Mathews.

The

Geo. II. 1742.

The first exploit performed under his command, shewed that England was resolved to seek her foes wherever they could be found. For Mathews sailing on the 16th of April from Spithead with seven ships of the line, was at Villa Franca harbour on the 14th of June where he took the command of the fleet upon himself. Captain Norris, who was upon a cruize between that harbour and cape Rous, hearing that five Spanish gallies from Margareta were then lying at St. Tropez, a French port in the Mediterranean to the eastward of Toulon, he blocked them up, and the Spaniards, as he said, beginning to fire upon him, he immediately gave orders to captain Callis, in the Duke fireship, to burn them; which the captain very bravely did, and brought the news himself to England, where he was nobly rewarded by his majesty.

Spanish ships burnt in a French harbour.

The burning the ships of an enemy in a neutral port, was a thing that had been long unknown to Europe; but in fact, the behaviour of France in protecting the Spanish fleet, had deprived them of all pretexts of neutrality. The nation, therefore, received the news of this action with particular pleasure, but not equal to that which soon followed it. The reader has already seen, that the king of Naples had joined his father's troops with his forces. They amounted to near 20,000 men, and they were, in every respect, in much better condition than those of Spain. It was therefore of great importance to oblige the king of Naples to adhere strictly to that neutrality which he professed. For this purpose, Mathews, in consequence of his instructions, about the beginning of August, dispatched captain Martin, as commodore, in the Ipswich, the Panther, captain Gideon, the Oxford, captain Paulet, the Feversham, captain Hughes, and the Dursley Galley, captain De l'Angle, four bomb-vessels and four tenders, to the bay of Naples, with a message from his Britannic majesty, importing, That his Sicilian and Neapolitan majesty, having violated his neutrality by joining his forces with the declared enemies of Great Britain, of the queen of Hungary, and the king of Sardinia, with whom his Britannic majesty was in alliance, he, the commodore, was sent to require the king of Sicily not only to withdraw his troops from acting in conjunction with those of Spain, but to promise, in writing, not to give them any further assistance in any respect; adding, that if his Sicilian majesty should delay giving the proposed satisfaction, he had orders to bombard Naples.

Commodore Martin to the bay of Naples.

It

It is incredible into what a conſternation ſo inconſiderable a force threw the capital of that monarch. Few cities lay more convenient for a bombardment than Naples did then. Though it is one of the fineſt in Europe, it was deſtitute of almoſt all defence towards the ſea; and its gradual aſcent of ſituation, expoſed almoſt every building in it to the bombs and firing from the ſhips. About four in the afternoon of the 4th of Auguſt, the Engliſh commodore came to an anchor before the town. Geo. II. 1742. Conſternation of the Neapolitans,

Some hours before this, the duke de Monteallegre, his Sicilian majeſty's firſt miniſter, deſired Mr. Allen, the Britiſh conſul at Naples, to go on board the commodore's ſhip to know his intentions, which appeared to be hoſtile; but he added, that his Sicilian majeſty would be glad to receive the Engliſh as friends, having nothing more at heart than to live in amity with the king of Great Britain. The conſul accordingly repaired on board Martin's ſhip, who delivered to him the meſſage above-recited; and captain De l'Angle, of the Durſley galley, was charged to carry it to the court of Naples, the commodore deſiring the conſul to accompany the captain as his interpreter. It was five o'clock before they reached the ſecretary's office, where the duke de Monteallegre received the meſſage, and promiſed an anſwer as ſoon as the king ſhould return from church, where he then was.

The king returning about ſix, a grand council was immediately ſummoned; and notwithſtanding all their reſentment at ſo imperious a meſſage, they were obliged to ſubmit. For about eight o'clock the duke de Monteallegre came down from the council, and told captain De l'Angle and the conſul, that the command ſhould be complied with, and in writing as required; but deſired to have an aſſurance in writing, that upon ſuch compliance no hoſtilities ſhould be committed on either ſide. They then returned, ſays the account publiſhed at London by authority, on board with general Bourke, who was ſent from his Sicilian majeſty to deſire this of the commodore; but he ſaid his orders were abſolute, and did not authoriſe him to give an anſwer, but that he expected a compliance in half an hour's time, or at fartheſt an hour, after the conſul and captain's being on ſhore. The duke of Monteallegre then deſired he might inſert in his letter, That upon the conſul and captain's aſſurances by word of mouth that no hoſtilities ſhould be committed, his Sicilian majeſty did promiſe, &c. captain De l'Angle deſired the conſul to tell the duke, that he apprehended the commodore would not be ſatisfied with that condition. Upon which whoſe king is forced to his ſhips from the Spaniſh army. London Gazette.

Geo. II. 1742. the duke desired the consul to assure the commodore, that if he objected to it, it should be left out, and that the substance of the letter being fully what was required, he hoped it would be sufficient for that night. It was two hours past midnight when the consul returned on board, and the commodore was so far satisfied, as to promise he would not commence any hostilities upon the assurance given him by the consul, that any thing he objected to, should be left out; and, accordingly, in the morning, another letter was wrote in the exact words required; and upon the receipt of it, the commodore ordered all the ships to prepare for sailing, and they were under sail before night, and out of sight next morning the 21st, having been only twenty-four hours at an anchor in the bay. The whole city, concludes the gazette, was in the greatest alarm and consternation imaginable, during the negotiation.

Reflection. The history perhaps of no country can parallel the quickness, the decision, and the importance of this expedition, which was undertaken with so very inconsiderable a force, against a powerful monarch, sitting in his capital, and surrounded by 300,000 subjects. It is an illustrious proof, how unavailing the pride of the finest city in the world, is against the very frown of a people that has the command of the sea.

The letter before-mentioned, from the duke de Montealegre to commodore Martin, was in the following terms.

Sir, Naples, Aug. 20.

Letter of compliance from the Neapolitan secretary of state to commodore Martin. "The king had already resolved, and given orders that his troops which are joined with those of Spain, should withdraw, in order to the defence of his own dominions. His majesty commands me to promise you in his name, that he will forthwith repeat his orders, that his troops, withdrawing from the Romagna, where they are at present, shall immediately return into this kingdom, and that he will not, in any manner whatsoever, either aid or assist those of Spain any more, in the present war of Italy. Signed,

The marquis of Salas, duke of Montealegre.

To captain William Martin, commander of the English squadron."

The court of Naples, at this time, punctually performed this convention, and their withdrawing so considerable a body of troops from the Spanish service, ruined the army under the duke of Montemar. Mathews, on his part, did

all

all that was incumbent upon a vigilant commander, to second the diſpoſitions of his court. For, immediately after the negotiation at Naples, having intelligence that the Genoeſe had ſo far favoured the Spaniards, as to lay up for their uſe ſome magazines of corn at Araſſa, he ſent captain Martin thither, who, about the firſt of September, deſtroyed them all; while the admiral himſelf took up his ſtation at the Hieres Iſlands, where his ſhips lay in a ſafe, fine road, and intirely commanded every veſſel that might attempt to enter into, or ſail from, Toulon. Geo. II. 1742. Conduct of Mathews in the Mediterranean.

The Engliſh fleet, however, could not controul the operations of the Spaniards by land. For a third embarkation of their troops ſailed, without convoy, from Barcelona, part of which arrived at Genoa, and part put into Toulon, about the beginning of March, before the Engliſh fleet had left Portſmouth; and about the 28th of April following, don Philip, the new candidate for royalty, arrived by land at Antibes, in his way to Italy. The ſucceſs of his enterprize ſeemed to engroſs the whole attention of the Spaniſh court, and nothing but the fear of an Engliſh fleet in the Mediterranean, could have put them upon carrying their point in ſo dangerous, ſo dilatory, and ſo expenſive a manner, as that they now attempted. For her Catholic majeſty finding the king of Sardinia determined to fulfill his engagements with the queen of Hungary, obtained a recall of the Spaniſh miniſter from the court of Turin; and when the Sardinian miniſter took his leave of the court of Madrid, her impatience led her into a breach of that decorum, that is commonly kept up among princes, even during their differences; "Tell your maſter, ſaid ſhe to the ambaſſador, my ſon ſhall be a king, whether he will or not." Third embarkation of Spaniards for Italy. Heat of her Catholic majeſty to the Sardinian ambaſſador.

But the Engliſh being maſters of the Mediterranean, rendered it impracticable for her to effect this by ſea. For don Philip, when he came to Antibes, found he could proceed no farther, and a reſolution was taken by the courts of France and Spain to change the ſcene of war, and to call off the attention of his Sardinian majeſty to the defence of his own country. Accordingly, in April this year, twenty-eight ſquadrons of Spaniſh horſe, and twenty battalions of foot [a], marched through France, and being joined by ſome The Spaniards attack Piedmont,

[a] The battalion of the Spaniſh foot conſiſts of 689 men.
The ſquadron of the life-guards conſiſts of 150 men.
The ſquadron of horſe conſiſts of 120 men.
The ſquadron of dragoons conſiſts of 160 men.

Geo. II. 1742.

other corps from Spain, and ſome companies of Catalonian miquelets, the whole formed a very powerful army of about 30,000 men, under count Glimes, who was the acting general, under don Philip. Their intention originally was to have forced their way into Piedmont, by Nice and Villafranca. But 3,000 Piedmonteſe militia, aſſiſted by a detachment from the Britiſh fleet, broke up the roads in thoſe parts ſo effectually, as to render them impraſſable to artillery. An attempt was then made, to ſend a body of miquelets through the valley of Barcelonetta, to penetrate by Demont through the valley of Sture. But finding the numerous narrow paſſes and the defiles they met with in their march, too well guarded by the Piedmonteſe militia, mixed with ſome regular troops, they were obliged to deſiſt from that undertaking with conſiderable loſs. The Britiſh fleet, which then lay all along that coaſt, was of the utmoſt ſervice upon thoſe occaſions, by ſcouring the ſhores, through which the Spaniards were obliged to paſs, and, in fact, rendered the whole ſchemes they had formed, impracticable.

and make themſelves maſters of Savoy.

They therefore defiled towards the left, and entered Savoy, where they found but a feeble reſiſtance. On the firſt of September, don Philip in his camp at Monſtier publiſhed an order, for the inhabitants of Savoy to come and pay obedience to him, and to ſettle the ſubſiſtence of his army; and on the 6th of the ſame month, another order, for the deputies of the provinces to take the oaths to the infant, to pay no more taxes to the king of Sardinia, to deliver up their arms, and to give up, under pain of death, all correſpondence with their former ſovereign. On the 10th of the ſame month, don Philip entered Chamberry, the capital of Savoy, and was, with declared reluctance, received as its maſter, by the magiſtrates of that city.

The news of his progreſs was far from being agreeable to his Sardinian majeſty. It is true, the dominion the infant had acquired, was over barren rocks, and a country, which could in no degree anſwer the expence of his undertaking, but it opened a way to a farther progreſs, which his Sardinian majeſty was reſolved to check.

Operations of the war in Italy.

He was then in a career of ſucceſs againſt the Spaniards in Italy. The vigilance of the Britiſh fleet in the Mediterranean, which cut off all ſupplies, either of proviſions or ammunition, from the Spaniards, had brought them into much greater diſtreſs than all the power of Auſtria and Sardinia. This was acknowledged by the duke de Montemar, in his letters to his court, and aſſigned as the true reaſon why he

was obliged to retreat. For though he had made a long march, and had paſſed the Panaro, in order to relieve the Modeneſe, yet he found his army ſo weakened by ſickneſs and deſertion, that on the 17th of June, he retired towards Ferrara, and continued retreating with great loſs from the Auſtrian huſſars, till the 8th of Auguſt, when the combined army entered the ſtrong camp the Spaniards had occupied at Rimini. Geo. II. 1742.

His Sardinian majeſty here found it inconſiſtent with the ſafety of his dominions, or indeed his crown, to continue the purſuit, being neceſſitated to turn his arms againſt the progreſs of don Philip in Savoy. In this critical ſtate of the Italian war, the neutrality of the court of Naples, which has been already deſcribed, was concerted, and happily executed by the Britiſh commanders at ſea, and the Spaniſh court being diſſatisfied with the conduct of the duke de Montemar, ſent the count de Gages to take from him the command. All the reſentment the former ſhewed upon this occaſion, was, "that his maſter, far from wondering that he had done ſo little, ought to wonder he had done ſo much, with an army ſo ill provided." The king of Sardinia marches to relieve Savoy.

The count de Gages was originally of an Engliſh family, which, at the time of the reformation, had withdrawn to Flanders, and afterwards ſettled in Spain. He had acquired a great reputation in war, and ſucceeded, at a very favourable time, to the command of the Spaniſh army. The king of Sardinia, before his return to his hereditary dominions, gave a proof of his diſintereſted connection with her Hungarian majeſty, by committing the adminiſtratorſhip of Modena to Chriſtiani, one of her officers, and at that time her podeſtat of Placentia; and, notwithſtanding the preſſing occaſion of his departure, he left a body of his troops under the command of count d'Apremont, with count Traun, and another body for garriſoning the ſtrong places in the Modeneſe. Account of de Gages.

The king of Sardinia, with the main body of his army, being thus obliged to ſeparate himſelf from count Traun, the latter at firſt thought only of acting upon the defenſive. But he found Gages to be of a more enterprizing ſpirit than his predeceſſor. For he immediately marched his army to Bologna; upon which, count Traun left Buon Porto, and paſſing the Panaro, advanced in order of battle, upon which, the Spaniards thought proper to retire; their true intention being to take up their winter-quarters in Tuſcany. But Traun found means to detach about 5000 troops, who joined thoſe of the great duke, aſſembling about Porto, and diſappointed

Geo. II. 1742. the ſcheme of the Spaniards. He then returned to his camp at Buon Porto, and about the middle of December, both armies, after ſome ſlight ſkirmiſhes, went into winter quarters; the Spaniards in the Bologneſe and Romagna, and the Auſtrians in the Parmeſan and the Modeneſe.

The armies in Italy go into winter-quarters.

Mean while, his Sardinian majeſty entered Turin the 8th of September, and on the 10th of October, advanced to Conflans, twenty miles Eaſt of Chamberry, with an army of 30,000 men. The Spaniards did not chuſe to riſk a battle, and after a few ſkirmiſhes, in which the Piedmonteſe had the ſuperiority, the infant drew off his forces with ſome precipitation towards Dauphiny, and encamped under the cannon of Fort Barreaux; the king of Sardinia at the ſame time encamping at Mians, near Montmellian, upon his own territories.

Don Philip driven out of Savoy;

This reverſe of the infant's fortunes, was attributed to the inactivity of the count de Glimes, and he was ſuperſeded by the marquis de las Minas, who arrived with conſiderable reinforcements in the Spaniſh camp the 5th of December; and took the important caſtle of Apremont, by a very maſterly conduct. He, at the ſame time, prepared to attack the Sardinian army, but found it impracticable. He took his meaſures, however, ſo well, that his Sardinian majeſty was obliged to abandon his camp at Mians, and at laſt all Savoy, which was again taken poſſeſſion of by the Spaniards, without being in the leaſt incommoded by his Sardinian majeſty in their advances.

but he regains it.

It is certain, that at this time, nothing was wanting, either by means of threats or promiſes, to bring his Sardinian majeſty off from his connections with England and the houſe of Auſtria. The latter could give him no equivalent to compenſate for the great expence and danger he had undergone on her account, but by ſolliciting the court of England in his favour. His Britannic majeſty, however, was too well convinced of the ſincerity and importance of his Sardinian majeſty's friendſhip, to be backward in ſecuring him to the common cauſe. He ordered admiral Mathews to give him the ſtrongeſt aſſurances for that purpoſe. The admiral exerted himſelf in conſequence of thoſe orders. Underſtanding that ſome troops had marched out of the Neapolitan dominions to join count Gages, he made a remonſtrance on that head to his Sicilian majeſty, who ordered the duke de Monteallegre to deliver to Mr. Allen, the Britiſh conſul, a declaration; "That the king being reſolved to keep the neutrality in the moſt inviolable manner, according to his engagements,

Remonſtrance from Mathews to the king of Naples.

ments, his majeſty did not think he had acted contrary thereto, by ſending to the Spaniſh army, the troops that were in the army belonging to that nation. That they were really the very regiments which have always belonged to Spain, and which were lent by that court to the king, in order to take poſſeſſion of Sicily; and that body of troops having always been in the conſtant pay of his Catholic majeſty, muſt neceſſarily obey his majeſty's orders to march whenever he ſhould think fit to recall them." Geo. II. 1742. His excuſe for ſending troops to the Spaniſh main.

Mr. Allen tranſmitted this apology to his court, which, perhaps, would not have been ſatisfied with it, had Mr. Mathews been at that time in a ſituation to reſent it. But the ſhips he employed in diſtreſſing the Spaniſh trade, which he did to a great degree, in cruiſing upon the coaſts, and in favouring the operations of the Auſtrians and Piedmonteſe, left him a fleet ſcarce ſtrong enough to fight that of France and Spain, ſhould it attempt to come out of Toulon. Add to this, that the Neapolitan court, ſenſible of the weakneſs of their city, from the laſt viſit paid them by the Engliſh, had now thrown up ſome fortifications to defend their harbour. The Britiſh fleet, however, received a reinforcement under rear admiral Rowley, which enabled Mathews to diſtreſs the Spaniards in the moſt effectual manner, by intercepting all their ſupplies of proviſions, men, and money. The Britiſh fleet reinforced.

On the 11th of November, Mathews ſent, from on board the Torbay at the Iſles of Hieres, to the governor of Villa franca, acquainting him, that he had orders from his maſter the king of England, "if his excellency ſhould at any time ſtand in need of part of the artillery, ammunition, or land-forces, on board his ſquadron, he would, on the firſt notice, ſend him any ſuccours he ſhould find neceſſary." He acquainted him at the ſame time, "that his majeſty had ordered his ſquadron to be reinforced with eight large ſhips." Mathews offers aſſiſtance to the Piedmonteſe.

The Genoeſe were at this time remarkably partial in favour of the French and Spaniards: vice-admiral Mathews therefore ordered the Britiſh conſul at Genoa to declare to the ſenate, "That as the friendſhip of the king of Great Britain ought to be dear to that republick, it was hoped that the ſenate would be attentive to preſerve it in the preſent circumſtances, by hindering their ſubjects from carrying any proviſions to the Spaniſh ſquadron, and the coaſts of Provence." Whereto the republick anſwered, "That, as it is propoſed to obſerve a ſtrict neutrality, it was not poſſible for it to prohibit its ſubjects from trading on the coaſt of Provence: that it was their buſineſs to judge of the riſk which they His demand upon the Genoeſe, and their anſwers.

Geo. II. 1742. they run, by continuing it, when both the Britiſh and Spaniſh ſquadrons were off that coaſt; and that all the ſenate was capable of doing, and which was conſiſtent with its neutrality, was, itſelf to ſupply neither party with any ſuccour.

This anſwer being rather evaſive than ſatisfactory, the admiral ſent them another meſſage, hoping that the republick would not only forbear to furniſh the Spaniards with proviſion or forage, but would alſo deny them a paſſage through their territories. To this the ſenate anſwered, "That being well acquainted with the rules of neutrality, they were reſolved inviolably to maintain one; but with regard to the paſſage of troops through their territories, be they of what power ſoever, the republick was not in a condition to oppoſe it; and that they could do nothing more than proteſt againſt all ſuch as ſhould attempt it, without their conſent."

This anſwer appearing no more ſatisfactory than the former, the commanders of the Britiſh ſhips of war made free with the Genoeſe ſhipping and territories. They burnt all the magazines of proviſions wherever they could find them within the republick's dominions, upon a preſumption they were laid up for the uſe of the Spaniards. They refuſed to perform quarentine, which put the ſtate of Genoa into ſuch a pannick, that they made fruitleſs complaints of it to the court of Britain; and the Britiſh admiral ordered the St. Iſidore, of 72 guns, that had been driven by diſtreſs into Corſica, to be burnt there, which was accordingly executed. At the ſame time, ſome Britiſh men of war with bomb-ketches appeared on the coaſts of Catalonia, where they threw bombs and red-hot bullets into the towns of Mataro and Palamos, which did great damage to the houſes, and buried many of the inhabitants in their ruins. From thence the Engliſh proceeded all along the ſea-coaſts; and ſometimes landing, laid whole diſtricts under contribution, as happened at St. Fœlix, Pineda, Gavel, Ica, and even in the neighbourhood of Barcelona itſelf. Before they returned to their ſhips, they likewiſe burnt ſeveral villages.

He burns the Spaniſh magazines, and ravages their coaſts.

Notwithſtanding thoſe and many other great and important ſervices performed for the houſe of Auſtria, by the Britiſh arms, it required an uncommon ſteadineſs of mind for the king of Sardinia to withſtand the temptations, as well as the dangers, that now ſurrounded him. Had he given ear to a project, which the court of France at this time had in view, he might have been put in poſſeſſion of Geneva. This project went ſo far, that the Dutch ambaſſador talked of it to cardinal Fleury, who affected to deny it with ſome heat.

Offers from France to the king of Sardinia.

Van Hoey's letters.

But

But the ſcheme ſeems to have gone farther than the public then apprehended; for it was betrayed to the Geneveſe, who immediately applied for the ſtipulated ſuccours to the Swiſs Cantons, their allies and protectors; fortified their city, and concerted the ſignals that were to paſs between the Swiſſers and them in caſe of danger. The French court at the ſame time propoſed a match, with vaſt advantages attending it, to the houſe of Savoy, between the prince of Piedmont and a daughter of France; and they ſeemed to be ſo ſure of ſucceeding, that their news-writers gave out that he was wavering. Geo. II. 1742.

If this ſurmiſe obtained any credit with the public, it was becauſe he had ſo tamely left Savoy in the poſſeſſion of don Philip. But his Sardinian majeſty publiſhed a manifeſto, ſhewing, that he was obliged to retire before a ſuperior force, to protect the more valuable part of his dominions; and to give the laſt proof of his ſteadineſs, he ordered his miniſters, who were but too much inclined to the French, not to trouble him with any more propoſals of that kind.

CHAP. XII.

War in America continued—Expedition intended for Panama—Lee and Lowther's ſchemes—The expedition fails—Iſle of Rattan planted by the Engliſh—Vernon and Wentworth return to England—Hiſtory of Oglethorp's campaigns in America—His character, and that of ſir Peter Warren—Oglethorp repels the Spaniſh invaſion of Georgia—Parliament opens—State of parties—The preſs abuſed—Caſe of the Hanover troops fully ſtated—Subſtance of all the debates upon them—Cauſes and riſe of the rebellion of 1745—Supplies granted—Motions and debates in the houſe of peers upon the Hanover forces—Supplies granted—Debates upon the bill for altering the duties upon ſpirituous liquors—State lottery—Place-bill thrown out—Caſe of remittances to the army abroad—Debated and diſcuſſed—Motions for papers—End of the ſeſſion.

IT now remains to give ſome account of the ſtate of the war between the Engliſh and the Spaniards in America during this year. It muſt, however, be premiſed, that many gallant ſeparate actions were performed by Britiſh command-

Geo. II. 1742. ers, that did honour to their country; but they were ſo numerous, that they cannot be comprehended within the plan of this work.

Continuation of the war in America.

The ſhameful diſſenſions between the ſea and land officers, confeſſedly ruined the well-concerted plan of attacking St. Jago, upon the iſland of Cuba. The land-forces ſailed in tranſports to Jamaica, but the men of war expecting the reinforcements promiſed from England, kept cruiſing, under admiral Vernon, off Hiſpaniola. Theſe embarked from Ireland and Scotland, under a convoy of his majeſty's ſhips; and on the 8th of November, the whole fleet ſailed from Cork, where it had rendezvouſed, and arrived at Jamaica the 15th of January. This reinforcement conſiſted of three men of war, the Greenwich, St. Albans, and Fowey, four bomb-ketches, and fifty-five tranſports, with near 3000 land-forces on board. Upon their arrival, a general council of war was held, to concert a new expedition, and a letter was produced from his grace the duke of Newcaſtle, dated the 31ſt of October, 1741, informing the vice-admiral, "That his majeſty had commanded his grace to acquaint him and general Wentworth, that he ſaw, with great concern, the heats and animoſities that had ariſen between his officers by ſea and land, contrary to his orders; whereby the ſervice could not but greatly ſuffer; ordering his grace to recommend it to them, in the ſtrongeſt manner, carefully to avoid the like for the future; and that, in caſe of any difference of opinion, all acrimony and warmth of expreſſion to be laid aſide."

The Engliſh reinforced there.

They prepare for a new expedition.

Letter from Wager to Vernon, June 21, 1741.

Ditto, Aug. 20.

Ditto, Oct. 7.

Lee and Lowther's Plans.

The council of war was compoſed of vice-admiral Vernon, General Wentworth, ſir Chaloner Ogle, brigadier Guiſe, and governor Trelawney. The firſt ſubject of their deliberations was, a ſcheme, which had been communicated to ſir Charles Wager, by one captain Lee, who had been ſome time employed by the South-ſea company, as maſter of a ſhip, in Guatimalla, and was well acquainted with that place, and all the coaſt of Honduras and Campeachy. His ſcheme was, for taking, by means of 1000 landmen, and one ſhip, with ſloops, all the Spaniſh fortifications upon the river Dulce and lake of Micaraqua. Captain Lee added, that that part of the continent was very rich, and had not been diſturbed, and that it would be eaſy for the Engliſh to open a communication, and drive a very advantageous trade with the native Spaniards and Indians, both which people, he ſaid, were as much enemies to the Spaniſh governors and the European Spaniards, as the Engliſh are. He added, that the Creol or American

American Spaniards, being moſt terribly oppreſſed by the Spa- Geo. II.
niſh government and the European Spaniards, had revolted, 1742.
to the number of 30,000; and he was of opinion, they were ſtill in the revolt, and that if the Engliſh would but ſend them 1000 men, with a proper officer to command them, and furniſh them with arms, they would immediately join the Engliſh, and bid defiance to the Spaniſh government. Sir Charles Wager was ſo fond of this propoſal, that captain Lee, though he never had before been in the government's ſervice, was made commander of the Bonetta ſloop, for the ſake of this ſcheme only, and ſent over to America; nay, ſir Charles was ſanguine enough to hope, that it would be attended with an inſurrection againſt the Spaniſh government in Peru, Mexico, and Chili.

Another plan of operations was preſented to the council of war, (who had diſcretionary power to go upon the ſcheme, that ſhould appear to them to be the moſt profitable and the moſt practicable) by one lieutenant Lowther. It was, "that a man of war ſhould go with the traders, ready to ſail, to Porto Bello; that the Muſquito Indians would be of uſe, in knowing how the river ſets; in carrying the artillery up the river Chagre, and 100 of them to go before, on the vanguard. That the road from Cruzes to Panama, (which was the object of the propoſed expedition) was paved, and broad enough to carry artillery for ten or eleven miles, and a fine Savannah after that, with ſeveral roads to Panama." Lowther likewiſe declared it as his opinion, that this expedition would require at leaſt 3000 ſoldiers, 500 negroes, and 400 Muſquito-men, and that he ought to be furniſhed with 400 pounds in goods, and 100 in liquor, to enable him to hire guides, and procure intelligence.

Diſſentions between the ſea and land-officers.

To repeat all the jarrings, contradictory reſolutions, and unbecoming perſonal reflections, that attended the deliberations of the council of war upon thoſe two ſchemes, would be uſeleſsly recording the diſgrace of the Britiſh councils in that part of the world. Though neither of the ſchemes ſucceeded, yet they are preſerved here, becauſe they may poſſibly be of uſe hereafter. That of Lowther, however, had the approbation of Wentworth, and the land-forces, who compoſed the majority of the council of war. But it was afterwards dropped, and then reſumed; and on the 8th of Feb. the ſeaſon proving favourable, it was reſolved to proceed upon it with the utmoſt expedition. Vernon agreed, and diſpoſed of his cruizers accordingly. He then urged the general in earneſt, and, indeed, in pathetic, terms, to haſten the

Expedition intended againſt Panama.

embarka-

Geo. II. 1742. embarkation of the land-forces, but that was delayed upon various pretexts, particularly upon the general remonſtrating, that ſix Spaniſh men of war were arrived at La Guira, with 4000 troops, deſigned to reinforce the garriſon of Carthagena. Upon this, the admirals Vernon and Ogle reſolved to endeavour to intercept the troops without loſing a moment's time. This reſolution being approved of at a council of war, where the land-officers aſſiſted; it was then reſolved, that the vice-admiral ſhould proceed with part of the ſhips to cruize off Carthagena, and leave the reſt under the command of ſir Chaloner Ogle, to proceed to ſea with the tranſports and ſtoreſhips under his convoy, and likewiſe to aſſiſt the tranſports to put to ſea as ſoon as general Wentworth ſhould ſignify that the land-forces were ready to reimbark.

Progreſs of the ſame. When the vice-admiral got off Carthagena, he ſaw there only one unrigged ſhip; and on the 21ſt of March, after repairing ſome damage his ſhips had ſuſtained, he blocked up the harbour of Carthagena, but it was the 25th before the land-forces, on board the tranſports, and ſir Chaloner Ogle, joined him. His fleet then conſiſted of two 80 gun ſhips, two of 70, and four 60 gun ſhips, three fireſhips, and two hoſpital-ſhips; with about forty ſail of tranſports, having on board about 3000 land-forces, and 500 negroes, under the command of governor Trelawney, who ſerved in the expedition as a colonel. Lieutenant Lowther, before this, had been ſent, as a private trader, with 13 men, under the protection of captain Dennis, in the Experiment, to endeavour to get all the intelligence he could, to forward the ſucceſs of the expedition, and upon their return they were to go into the Baſtimentos, and there wait the arrival of the fleets. But their return and landing there, being precarious, Vernon acquainted Wentworth, that if they were not met with, he muſt proceed directly with his fleet, which could not lie at ſea, to Porto-Bello, where he would call a council of war. He accordingly puſhed for the harbour of Porto-Bello, which he reached on the 28th of March, and which was abandoned by the Spaniſh governor. The vice-admiral obſerving the diſorder of the inhabitants, and that many of them were preparing to fly precipitately out of the place, ſent an officer and an interpreter aſhore, promiſing them protection; upon which, a deputation came from the magiſtrates, thanking him for his humanity, and imploring to be protected in their perſons and effects, which was granted them, by the unanimous conſent of a council of war, called

The Engliſh fleet at Porto-Bello.

for

for that purpose; for they acquainted the deputies, "That the protection requested should be granted, if they did nothing to forfeit it: and that the council expected the town to furnish mules for common prices, and cattle for the sick; and to return an account the next morning, what number of mules they could provide when required." Geo. II. 1742.

It was likewise agreed, "That it would be most for the service to have a detachment sent up the river Cascahal the next day, for cutting off the communication between Porto-Bello and Panama, and to take possession of the custom-house, and to place a guard there." After this, a detachment of fourscore soldiers was sent before to take possession of the custom-house, that being considered as the property of the British crown, and not included in the protection granted to the private inhabitants, who were most inviolably protected according to the assurances of a council of war. By this time, lieutenant Lowther, in the Experiment, had rejoined the fleet with the guides he had procured: but Lowther was now greatly altered in his opinion, which was against attempting any thing that year against Panama; upon which, a council of war of the land-officers being held, it was resolved, that that attempt was, for that year, impracticable. This resolution was communicated to Vernon, who complained bitterly of the land-officers having a dead majority against him in all councils of war; and most earnestly, in his letters to the government of England, desired to be recalled.

The opinion of the land officers was backed by a paper given in by Mr. Wentworth, complaining of the want of men to carry into effect their enterprize against Panama, and that from an omission in executing one part of the scheme, the governor of Porto-Bello, and three companies of soldiers, and two of molattoes and negroes, were retired to Panama; on the cutting off of whose retreat, their success, in some measure, depended, as the governor was an officer of merit and service, in whom the Spaniards had great confidence; and that there was lately good intelligence of a large reinforcement arrived at Panama from Lima, and of works being thrown up towards the land. Thus the land officers threw the blame upon Vernon; and by a letter to him from sir Charles Wager, it appears, that one part of Lowther's scheme was baulked by him, which was the landing 500 men at Nombre Dios, by which the Spanish governor might have been intercepted. But Vernon alledged in his own vindication, that if, the very day that the fleet appeared before Porto-

The expedition laid aside.

Letter from Wager to Vernon, August 4, 1742.

Geo. II. 1742. Porto-Bello, Wentworth had, according to Vernon's advice in the council of war, ſent a detachment up the river of Chagre cahal, they might have intercepted the governor, and certainly would have cut off the two companies of mulattoes and negroes, who did not depart from the place till the morning after the fleet appeared before it. It was the 15th of May before the fleet and all the tranſports got to Jamaica. There they met with captain Herbert, with 192 of his officers and men, who had been ſhipwrecked in the Tyger, a 50 gun ſhip, which was loſt on the coaſt of Florida.

Thus ended in ſhame, diſappointment, and loſs, the moſt important, the moſt expenſive, and the beſt concerted expedition that Great Britain ever was engaged in. It is yet a problem, and very likely will ever be a diſpute between the ſea and land officers, where the blame ought to lye. Vernon's main drift ſeems to have been to keep himſelf clear of any legal imputation; and Wentworth ſcreened himſelf behind the opinions of councils of war and points of generalſhip, which are extreamly inconſiſtent with, if not deſtructive to, enterprizes that depend upon the rapidity of execution, or upon the happy ſeizure of an opportunity. In ſhort, Great Britain, from the failure of this expedition, had a melancholy proof, that diſſenſion is the misfortune of a ſtate, but the ruin of an undertaking.

The iſland of Rattan ſettled by the Engliſh.

Upon the miſcarriage of Lowther's ſcheme, that of captain Lee, above-mentioned, was partly reaſſumed; and after many preparations and councils of war, one lieutenant Hodgſon, who was well acquainted with thoſe parts, was ſent with twelve men, under a proper convoy, amongſt the moſquitto Indians and the logwood cutters on the bay of Hunduras, to conſult with them about making an Engliſh ſettlement upon the iſle of Rattan in the gulph of Hunduras, about 150 leagues ſouth-weſt from Jamaica, and 14 to the north-weſt of Truxillo bay, on the Spaniſh main. This ſcheme carried with it great plauſibility. The iſland itſelf is about 30 miles long, and from 12 to 15 broad, and extreamly commodious both for ſhipping and living on ſhore, being healthy and well watered. A ſettlement there bid fair to promote the Engliſh logwood trade, and open a commerce with the Spaniards at Guatimala for cochineal and logwood.

Hodgſon met with great encouragement. He carried out a captain's commiſſion to one Mr. Pitts, a conſiderable man amongſt the logwood cutters, who came heartily into the ſcheme, and engaged for the moſquitto Indians, who likewiſe appeared very fond of it. Upon his report, it was propoſed

posed by admiral Vernon, that a voluntary number of the American regiment ſhould be ſent to Rattan, with ſix months proviſions, arms, ammunition, and all neceſſaries, with ſome cannon for a fortification, and an engineer. This propoſal being agreed to, 200 Americans, and 50 marines, were ſent off with all the neceſſaries above-mentioned, under major Caulfield to Rattan, and the convoy of captain Cuſac in the Litchfield, and captain Lee in the Bonetta ſloop. The ſettlement was accordingly very happily effected; and a mutiny that happened amongſt the American papiſts being diſcovered, and puniſhed by the death of a ringleader, the civil government of the iſland was given to Mr. Pitts, a town was immediately formed, and fortifications raiſed for the defence of the iſland. Geo. II. 1742.

Georgia threatned by the Spaniards.

Mean while letters came from Mr. Bull, the lieutenant-governor of South Carolina, to admiral Vernon, acquainting him of a deſcent made by the Spaniards upon the infant colony of Georgia; upon which colonel Durour was ſent off with a detachment of 500 men under the convoy of the Shoreham man of war, either to attack Auguſtine, or to recruit general Oglethorp's regiment. Soon after this, on the 23d of September, admiral Vernon and general Wentworth were ordered home, and ſir Chaloner Ogle was ordered to command the fleet and the marines that ſhould be deemed neceſſary for its ſervice. The eight independent companies for the ſecurity of the iſland were likewiſe ordered to be compleated, and the remaining part of the officers and ſoldiers were ordered home to England.

Vernon and Wentworth return to England.

Diſſention between Trelawney and admiral Ogle.

Unhappily for the national ſervice, at this time, a worſe underſtanding, if poſſible, had broken out between Trelawney, governor of Jamaica, and ſir Chaloner Ogle, than that which ſubſiſted between Vernon and Wentworth. Ogle, though a brave officer, and an honeſt man, was ignorant to an extream degree of every thing that did not immediately appertain to his profeſſion, and he was entirely led by Vernon. Trelawney had underſtanding, but was paſſionate and unrelenting; for notwithſtanding the neceſſity of a good agreement between them, he could not be brought to an accommodation with Ogle who deſired it. Vernon and Wentworth, however, proceeded to England, and mutual recriminations paſt between them. But Wentworth found more friends, and was better ſupported by the land-officers, than Vernon, (whoſe pride and intractability had rendered him odious,) was by the ſeamen. Both of them were graciouſly received at court, and both were promoted and employed.

Having

Geo. II. 1742.

Having mentioned the colony of Georgia, it is neceſſary, before returning to England, to give a ſhort account of the operations in thoſe parts, as they were the only warlike ones that now concerned England on the continent of America.

Hiſtory of Oglethorp's campaigns.

His character, and that of ſir Peter Warren.

Even here diſſention was fatal to the Britiſh intereſt. Oglethorp was a man of great notions, and indefatigable enterprize, and in every reſpect the reverſe of Wentworth. He had reared the colony of Georgia, and infuſed a martial ſpirit in all about him. The Spaniards who were at St. Auguſtine in Florida, had been guilty of great exceſſes againſt the Engliſh and their Indians, and were known to be making great preparations for attacking Carolina, in which if they ſucceeded, Georgia muſt be ruined of courſe. Oglethorp, who was then in England, was upon this intelligence made general of all his majeſty's forces in Carolina and Georgia, and had a commiſſion to raiſe a regiment, which he carried over to America, but not time enough to prevent the Spaniards being ſtrongly reinforced in St. Auguſtine. In his ſervice in America he happened to be joined with a ſea-officer, who in all reſpects but courage and capacity, was the reverſe of Vernon. This was captain, afterwards ſir Peter, and admiral, Warren. Having both of them the ſame enterprizing caſt, they performed many very brave actions againſt a great ſuperiority of the enemy, but they are too minute to be particulariſed.

Negotiation with the aſſembly of Carolina.

Oglethorp, after conſidering all circumſtances upon very true maxims of policy, propoſed to the people of Carolina to attack the Spaniards in St. Auguſtine. They agreed to his propoſal, and promiſed to join him with 600 white men, a troop of horſe, a troop of rangers, and 600 negroes for pioneers, with a train of artillery and other neceſſaries, beſides advancing him a large ſum of money. But the dilatory proceedings of the council of Carolina, where Oglethorp had many enemies, and the diſputes amongſt themſelves, gave the Spaniards an opportunity, while Oglethorp and Warren were at Charles-town, a ſecond time to reinforce St. Auguſtine. Oglethorp therefore was obliged in diſguſt to leave Charles-town, and take the field at the head of a detachment of his own regiment, ſome well-affected Indians, and part of the Highlanders. With theſe he took ſome of the Spaniſh forts, and in one of them eleven pieces of cannon. Soon after 400 men from Carolina arrived under the command of colonel Vanderduſſen, an ignorant, weak man; and ſome other aſſiſtance likewiſe arrived from the Indians and the High-

Highlanders, and the Georgia rangers; and at laſt arrived Geo. II.
commodore Pierce in the Flamborough, captain Warren in 1742.
the Squirrel, captain Townſend in the Phœnix, captain Fan-
ſhaw in the Tartar pink, ſir Yelverton Peyton in the Hector,
a 40 gun ſhip, captain Laws in the Spence ſloop, and cap-
tain Dandridge in the Wolf ſloop. It was then reſolved to
attack Auguſtine. But the Spaniards, in the mean time,
had received ſuch reinforcements from Cuba, that the com-
modore found it impracticable to do any thing effectual againſt
it by ſea; and though ſeveral attempts were made by land
with great courage by captain Warren as well as general
Oglethorp, the heat of the ſeaſon, and a ſickneſs that had
got amongſt the troops, obliged the expedition to be laid aſide
for that year. Many other accidents concurred to this diſap-
pointment. The commodore had been, in a manner, forced Sea officers leave the expedition.
to give his aſſiſtance, and none of the ſea officers, excepting
Warren, had any opinion of the probability of ſucceeding;
the garriſon of the Spaniards were more numerous than their
beſiegers, and well provided with ſhipping, artillery, and offi-
cers; and the Carolinians with their commanders thwarted
Oglethorp in every meaſure he propoſed. The Engliſh, how-
ever, did not withdraw either their troops or their ſhipping,
without doing infinite damage to the enemy with both.

This year the enemy, who made it a point to deſtroy the Georgia invaded.
colony of Georgia, as being the great bulwark between them
and Carolina, prepared at Cuba two twenty gun ſhips, and
a great number of tranſports and armed veſſels, on board of
which they put about 3000 men, ſome of them their beſt
troops, with an intention to invade both ſettlements. The
Flamborough man of war having fallen in with this fleet,
drove ſome of their ſhips on ſhore, and gave the alarm to
Oglethorp, who immediately laid an embargo upon the ſhip-
ping at Georgia, and ſent expreſſes to all quarters for aſſiſ-
tance both by ſea and land. The main body of the Spa-
niards arriving, however, at Auguſtine, Don Manuel de Mon-
teano, the governor of that place, having added to them part
of his own garriſon, undertook the command of the expedi-
tion; and June 21, the Spaniſh fleet appeared off Amelia The Spa-
ſound in Georgia, and part of them attempting to land, were niards re-
repulſed. The Spaniards, however, proceeded up the river pelled.
Alatamaha, where they effected a landing, and were in full
march for Frederica, the principal town of the colony. Up-
on this news Oglethorp was obliged to withdraw his other
poſts for its defence, and he marched in perſon at the head
of a ſmall detachment ſo ſpeedily, that he cut in pieces the
advanced

Geo. II. 1742. advanced guard of the Spaniards, and was ſo well ſeconded in other reſpects by his officers, that after ſeveral bloody encounters, in which the Spaniards ſuſtained great loſs, the enemy, after committing all the ravages they could upon the colony, were forced to re-embark their forces, and they returned to Cuba after a ſhameful expedition, in which they were baffled by half their number; for it is to be obſerved, that the Carolinians had no ſhare in the ſervices that had been performed by Oglethorp, though they tended equally to protect them as the people of Georgia.

Such were the tranſactions of the greateſt importance that happened this year relating to England; and if any have been omitted, it is only in order that the thread of the narrative may be preſerved, and that it may come more entire to the reader.

The parliament opens. King's ſpeech.

The Britiſh parliament, after ſeveral prorogations, this year met on the 16th of November, and his majeſty in his ſpeech to both houſes acquainted them, that he had ſent a conſiderable body of troops from England to Flanders; that he had, in concert with his allies, ſent 16,000 of his electoral troops thither, with the Heſſians in Britiſh pay, in order to form ſuch a force in conjunction with the Auſtrian troops, as might be of ſervice to the common cauſe at all events. His majeſty then attributed to the councils of Great Britain the magnanimity and firmneſs of the queen of Hungary, the reſolute conduct of the king of Sardinia, the ſtop that had been put to the Spaniſh invaſion of Italy, to which the Britiſh fleet viſibly contributed, and the change of the affairs in the North, which, ſaid his majeſty, "has appeared by the public requiſition made by Sweden of my good offices for procuring a peace between Ruſſia and that crown, and the defenſive alliances agreed upon not only between me and the Czarina, but alſo between me and the king of Pruſſia."

When the hiſtory of the war is reſumed, the ſtate of affairs in the North, to which his majeſty here alludes, ſhall be explained and connected with the affairs of England, which can be done with no propriety before. But in the mean time the reader, who is not old enough, or had not opportunities, to obſerve the tranſactions of this period, muſt be informed of the ſtate of parties in England, and of the reigning politics of this period. This information is the more neceſſary, as he cannot receive it from the papers and publications of that time, when party rage broke out with more violence than had been ever known ſince the time of the revolution.

It

It is certain from experience, that it does not require so great abilities to oppose, as it does to head, or even to befriend, an administration, in England. The great qualities that were seen in the gentlemen of the new ministry while in the opposition, were all obscured from the eyes of the public when they became ministers themselves. The truth is, they had but few personal friends; for though they were supported by the remains of the late administration, who were still very powerful, yet that was not from any kindness, but from the fear or hatred of a third party: and what added to the popular odium of the new administration, was the disagreeable appearance they were under of having changed both their party and their principles, without being possessed of any real power. This, with regard to money, was still in the hands of the old administration, and with regard to measures, it was engrossed by lord Carteret, a minister of superior capacity and influence, and independent of all party as to his power in the cabinet. Geo II. 1742. Reflection. State of parties.

But even all the capacity of that great minister was thought insufficient for justifying to the nation the bold measures that had been lately pursued. Sixteen thousand British troops were now in Flanders idle, unemployed, and quarrelling with the inhabitants; without the Dutch peremptorily declaring for the queen of Hungary, by which some appearance arose, that the government of England was to take upon itself the whole support of the house of Austria. This appearance was strengthened when the Hessians in British pay were sent to join the English in Flanders, and when it came to be publicly known, that the 16,000 Hanoverians sent upon the same destination, were likewise to be in the pay of Great Britain, and that too upon terms given out to be more advantagious than common.

All those topics, the latter especially, were blazoned out to the public in a set of the most flagitious and indecent writings that ever appeared in England. The press did not now, as formerly, point at the minister alone, but at his ster, because of his double capacity of king and elector, and the people were, on that account, heated to distraction. It was easily foreseen, that if the opposition within doors should continue to be as strong as it was in the preceding session, the consequences to the internal peace of the kingdom might be fatal; and this consideration was the more serious, because a secret spirit of discontent began now to insinuate itself into some of the officers of the army, both at home and abroad, upon account of the Hanoverian troops. Abuse of the press.

Geo. II. 1742. The miniſter (for ſo lord Carteret was now termed) bore up againſt all the torrent of abuſe againſt his meaſures with vaſt ſpirit, and it ſeemed only to confirm and quicken his reſolutions. He appealed to the proceedings of parliament, and to the late voice of the people, all which were unanimous in calling upon his majeſty to ſupport the houſe of Auſtria. He mentioned the promiſing ſituation of affairs on the continent, as the happy effects of his majeſty's meaſures and firmneſs, and he continued, notwithſtanding all that had paſſed, to aſſure the public, that the Dutch would infallibly take part in the war, if they ſaw his majeſty perſevere in his conduct.

Many of the moſt candid and conſiſtent friends of the late oppoſition agreed with the miniſter in his ſentiments, and ſome of them were taken into places of high truſt. Lord Gower, the moſt popular nobleman in the oppoſition, was made lord privy-ſeal, which he afterwards reſigned and reſumed, and enjoyed to the full the confidence and favour of his maſter; and lord Bathurſt, who had been always heard with great attention in the houſe of peers, was made captain of his majeſty's band of penſioners; and ſeveral gentlemen in the houſe of commons were at the ſame time provided in places under the government [a].

Tho' theſe promotions and alterations in ſome meaſure ſeemed to ſecure a majority for the government within, they were far from allaying the heats without, doors. The chief of the preferments had fallen upon thoſe who were conſidered either as tories, or as being very moderate men, with regard to any party, and the gentlemen in the oppoſition were not even without hopes, that when the great points came into debate, they would, ſome of them, as indeed happened to be the caſe, vote againſt the court.

A loyal addreſs was moved for, oppoſed and carried in both houſes, and each met with a moſt gracious anſwer from his majeſty. But the two parties kept up their ſtrength

[a] The lord Harry Pawlet, lieutenant of the Tower.

Honourable William Finch, vice-chamberlain of the houſehold.

Honourable Edward Turner, groom of the bedchamber.

Edward Hooper, eſq; paymaſter of the penſions.

Sir Charles Gilmour, paymaſter of his majeſty's works.

Henry Furneſe, eſq; joint ſecretary of the treaſury with John Scrope, eſq;

Honourable Henry Legge, eſq; ſurveyor general of all his majeſty's woods on both ſides the Trent.

Daniel Boone, eſq; muſtermaſter general.

Honourable William Murray, ſollicitor-general.

till

till the queſtion about the Hanover troops, now known to be in Britiſh pay, ſhould come to be debated. This did not happen in the houſe of commons till the 16th of December, when it was moved to reſolve, Geo. II. 1742.

Reſolutions about the pay of the Hanover troops.

1ſt, That the ſum of two hundred and ſixty-five thouſand one hundred and ninety-one pounds, ſix ſhillings and two-pence farthing, be granted to his majeſty, for defraying the charge of 5,512 horſe, and 10,755 foot, of the troops of Hanover, (together with the general-officers and the train of artillery) in the pay of Great Britain, from the 31ſt of Auguſt to the 25th of December, 1742, both incluſive.

2d, That the ſum of three hundred and ninety-two thouſand ſix hundred and ſeven pounds, eight ſhillings and three pence, be granted to his majeſty, for defraying the charge of the ſaid troops, from the 26th day of December, 1742, to the 25th day of December, 1743, both incluſive.

3d, That the ſum of one hundred and ſixty-one thouſand ſix hundred and ſeven pounds, ſeventeen ſhillings and one penny halfpenny, be granted to his majeſty, for defraying the charge of 1,264 horſe, and 4,908 foot, of the troops of his majeſty the king of Sweden, as landgrave of Heſſe-Caſſel, in the pay of Great Britain, from the 21ſt day of December, 1742, to the 25th day of December, 1743.

The arguments for and againſt the Hanover troops, fully ſtated.

The debates, which happened in both houſes upon the two firſt reſolutions, were leſs guarded, and more perſonal, than could have well been expected, in aſſemblies that owned the elector of Hanover for their ſovereign. The act of ſettlement was turned to; and a new doctrine was all of a ſudden ſet up, that the endeavours of Great Britain to ſave the houſe of Auſtria, were vain and fruitleſs, and calculated only for the preſervation of Hanover, and to load England with the expence of Hanoverian mercenaries. It was not obſcurely intimated in pamphlets and papers, which were known to be wrote by the heads of the party, but were fathered by minor authors, that the act of ſettlement, which provides againſt Great Britain being ever engaged in a war, on account of the dominions belonging to her king on the continent, had been violated, and ſome very undutiful inſinuations on that head were thrown out. It was pretended, that the whole of the bargain for the electoral troops, was an impoſition upon the people of England; becauſe thoſe troops durſt not act againſt the head of the empire, without expoſing his majeſty to be put to its ban, and in confirmation of this, the late neutrality for the electorate of Hanover was urged.

Geo. II. 1742. The ſending the Britiſh troops to the continent, without being aſſured of the concurrence of the States-general, was highly exclaimed againſt; and in anſwer to his majeſty, who had ſaid in his ſpeech, that he had done it in purſuance of the repeated advice of parliament, it was pretended, that that advice was given, only upon the ſuppoſition that the States general or ſome other power in Europe would have joined Great Britain in her endeavours to ſupport the houſe of Auſtria. It was pretended to be highly unconſtitutional, and derogating from the importance of parliament, to take ſo great a number of foreign mercenaries into pay, without conſulting it; and it was pretended, that the money, expended in ſending Britiſh troops to the continent, and maintaining them there, together with the ſums to be paid for the hire of mercenaries, would have been more than ſufficient to have enabled the queen of Hungary, had it been ſent to her, to have maintained double the number of forces; or if 700,000 l. which was no more than half of what was paid by Great Britain, to troops in her ſervice, had been given her in ſpecie, ſhe could have maintained 50,000 men in places, where they could have acted with greater effect for her intereſt; ſo that 700,000 l. was actually laviſhed away, beſides the blood of ſo many Engliſhmen, who probably would be ſacrificed in that romantic quarrel. Great fault likewiſe was found with the aſſembling the army in Flanders, where, it was ſaid, it could be of no ſervice to the queen of Hungary, but if it ſhould give the French a pretext for attacking the Dutch barrier, might engage England, as a principal, in an expenſive and dangerous land war.

It was farther obſerved, that it did not appear the electorate of Hanover, though more immediately concerned in the event of the war than Great Britain was, had contributed any thing to the ſupport of the common cauſe; and that on the contrary, ſhe had made a much more advantageous bargain than ſhe made in the year 1702, when the earl of Marlborough negotiated with de Bothmer, the Hanoverian miniſter, the hire of 10,000 men from the houſe of Lunenburgh; there being in that convention no ſtipulation, either for levy or recruit-money, which, in the preſent contract, amounted with the pay of the ſtaff, and the officers of the artillery, to 139,313 l. This, the oppoſers of the meaſure thought to be the more extraordinary, as the 16,000 men paid by England, were not raiſed at her requeſt, and as no more than 6000 had, upon the death of the late emperor, been added to the ordinary forces of the electorate. The

great

great ſtanding army of 23,000 ſoldiers, and 11,550 marines, kept up at home, was likewiſe ſtrongly inſiſted upon, as the greateſt part of them, had there been an abſolute neceſſity, might have ſupplied the place of the expenſive mercenaries, now taken into pay. Geo. II. 1742.

Such were the principal arguments (for they were branched out into many ſubdiviſions) that were brought againſt this famous meaſure, which occaſioned an oppoſition within doors, that was next to throwing the nation into confuſion without. The whig part of the oppoſition gave up all the maxims of their party during the reigns of king William and queen Anne, and their moſt glorious meaſures and victories upon the continent, were now ſtiled illuſtrious deviations from the true intereſt of England; and a new, and of late, an unheard-of, doctrine was broached, that Great Britain ought upon no account to engage in any war upon the continent of Europe, but by employing her good offices, or upon very great and intereſting emergencies, by ſupplying her allies with money, and that too with a very ſparing hand.

It muſt be acknowledged, that this oppoſition carried with it a more ſpecious appearance than any that had been formed againſt the late miniſter. The principles, upon which it was founded, were plauſible and flattering to Engliſhmen. But it was void of ſolidity. The meaſure of taking the Hanoverian troops into pay, was the conſequence of the united voice of the nation, which, upon all occaſions, addreſſed itſelf to the crown, to ſupport the queen of Hungary; and but a few months ago, her ſupport was the criterion, by which the merits of the party, now oppoſing it, were to be judged. The doubts and fears raiſed about the Hanoverians not daring to act againſt France and the emperor, were idle; and the event ſoon proved them to be ſo. All that was ſuggeſted about the backwardneſs of the States-general, was likewiſe proved, by the event, to be chimerical. The fluctuations, which a change of miniſtry might introduce into his majeſty's councils, and the menaces or arts of France, had indeed hitherto kept them in a ſtate of indeciſion; but they no ſooner ſaw the Britiſh troops land in Flanders, and joined by thoſe in Britiſh pay, than their apprehenſions began to wear off, and when it was known from the mouth of the Engliſh miniſter, that the meaſure of ſending their troops to Flanders, had been unanimouſly approved of in his majeſty's council, the friends of public liberty took courage, and the marquis de Fenelon himſelf was given to underſtand, that the republick was determined immediately to change her

Plauſible oppoſition.

Geo. II. 1742. meaſures. Nay, the French faction, though very powerful in Holland, ſaw that the people would no longer ſuffer them to temporize; and that if any farther delays were uſed, the effect would be an immediate change of government, by creating the prince of Orange ſtadtholder. In conſequence of thoſe diſpoſitions, the States-general, even while their neutrality was talked of by the oppoſition in England, as a thing certain, were coming to very vigorous reſolutions.

That the ſupport of the houſe of Auſtria was far from being impoſſible by Great Britain, if properly ſeconded by her allies, appeared from what had already happened. The queen of Hungary was victorious in Germany; the influence of Great Britain had eaſed her of the enmity of the kings of Pruſſia and Poland, had procured her the alliance of the king of Sardinia; and the Spaniards, inſtead of gaining ground, had loſt it in Italy, chiefly by means of the Britiſh fleet. As to furniſhing her Hungarian majeſty with money, ſhe herſelf rather choſe the aſſiſtance of England in men, and his majeſty could truſt no mercenaries, ſo much as his own electoral ſubjects. Beſides, the neceſſity was preſſing, and men were not to be got merely for money; or if they were, they were raw and undiſciplined, and very unfit to act againſt the veteran troops of the enemy in regular actions and ſieges, however proper they may be for detached encounters and ſudden attacks. The queen of Hungary, therefore, not having men of her own, muſt apply to ſome other ſtate, but there was not a prince or a ſtate in Europe at that time, who either could or would lend out their troops even for hire.

The Hanover troops not too dearly paid for.

Journals of the houſe of commons, Nov. 19, 1703.

The clamour againſt the dearneſs of the Hanoverian troops was groundleſs; and when all the particulars of the convention in the year 1702, between the houſe of Hanover and England, are conſidered, the bargain was perhaps as cheap then, as before; the Hanoverian troops then taken into pay, being upon the very ſame footing with thoſe that were in the pay of the States-general. Add to this, that Hanover, in the year 1702, had nothing to fear for itſelf, and in the year now treating of, it had every thing to fear, and his majeſty muſt be at an immenſe additional expence to ſupply the place of the troops, he had ſo generouſly lent to the common cauſe. It was beſides, very clear, that had England hired troops from any other prince in Europe, ſhe muſt have paid a ſubſidy for them, as ſhe did to Denmark and Heſſe, during their continuance in her ſervice; but ſhe paid none to the Hanoverians, which, in effect, made them come cheaper than any other troops. Neither could the neceſſity of the

juncture admit of his majeſty taking, in a formal manner, the opinion of his parliament on that ſtep. He was ſufficiently empowered to do what he had done, by the repeated addreſſes of both houſes, as well as by his own prerogative; and he had, towards the cloſe of laſt ſeſſion, even informed the parliament, that ſome ſuch ſtep would be neceſſary for him to take during the receſs. Geo. II. 1742.

Upon the whole, it was urged in vindication of the meaſure, that if the queen of Hungary was not effectually aſſiſted, and that with men, as well as money, it would be much better for Great Britain not to aſſiſt her at all, ſince every aſſiſtance, but an effectual one, was ſo much money thrown away, without doing any ſervice, either to her or to England.

The above is the ſubſtance of the principal arguments advanced on this very intereſting ſubject, drawn from whole volumes of debates and ſpeeches. The writers of the oppoſition, as uſual, had greatly the ſuperiority over thoſe for the miniſter, and the nation continued daily to be ſo inflamed, that the government by no means thought it proper to part with any more of its troops.

Cauſes and riſe of the rebellion of 1745.

As a proof how well they reaſoned in that reſpect, it was about this time the ſeeds of the rebellion, that broke out two years after, were ſown. The unbridled licentiouſneſs of the writings, which repreſented the people of England as ready to ſhake off the yoke, as it was called, of the houſe of Hanover, the ridicule that was thrown upon thoſe meaſures, that were ſtigmatiſed to be German, and the broad inſinuations that were thrown into almoſt every inſtruction to their conſtituents in parliament, as if the act of ſucceſſion had been broken through, were duly tranſmitted from the diſaffected to the remoter parts of the iſland. Hence it was, that the duke of Perth, the Camerons, the Macdonalds, the Frafers, and many other jacobite clans, were deluded into a fatal belief, that the train of rebellion was laid all over England, and that the ſmalleſt ſpark was ſufficient to ſet it on fire. It has been ſince publickly proved and known, that the moſt abuſive of thoſe writings were printed at private preſſes, both in Scotland and England, and circulated as the ſenſe of the people of Great Britain, amongſt the adherents to the houſe of Stuart, who made uſe of them to debauch others from their allegiance.

Negotiation between the French and the old pretender.

France herſelf was deceived. Her emiſſaries in London looked upon the people of England as ripe for rebellion, and ſhe, upon that preſumption, now began to tamper with

Geo. II. 1742. with the old pretender and his ſon. The former was then leading a quiet, if not an inoffenſive, life, in the boſom of Rome and ſuperſtition, pitied by ſome, and deſpiſed by more. He inherited the virtue of frugality, by which, from the penſion he had ſettled upon him by the pope, his ſhare of his ſucceſſion to the Sobieſki eſtate, in right of his wife, the gratuities paid him by Spain, and the contributions ſent him from England, he had made a ſhift, not only to live in a decent manner, but to give competent aſſignments to a great number of his moſt neceſſitous followers in Great Britain, France, and other countries. His credit with the Iriſh merchants upon the continent, was good; and what is ſtill more extraordinary, he had ſaved a ſum of money, large enough to ſupport an inſurrection, if it ſhould happen in his favour; being not yet wholly dead to ambition.

The court of France had at Bulloigne an under-ſecretary, to whom the Engliſh political papers were duly tranſmitted; and the moſt inflammatory of theſe being faithfully tranſlated by him, were ſent to cardinal Tencin and Amelot, who were coadjutors to cardinal Fleury, now upon his death-bed. Tencin, who owed to the pretender his elevation to the purple, was his violent friend, and prevailed with the French king to give him his countenance, which he did ſo far as to promiſe to receive his eldeſt ſon as a prince of the blood of France, if he would venture to come to his dominions.

The old pretender had too much experience of the French court's attachment to its own intereſt, to be prevailed upon by their applications ſingly; but he had a regular correſpondence with his friends in Scotland, by whom he was encouraged, to liſten to Tencin's ſuggeſtions. A Scotch nobleman, of the Roman Catholic religion, was placed by the party in London as a ſpy and an intermediate agent, in whom all correſpondence of the party from Scotland, France, and Italy, was to center, and from whom it was to be tranſmitted; but happily for England, he had neither a head nor a heart fitted for the undertaking Some of the jacobites in Scotland had both; but they truſted to him and to the ſpeeches of the oppoſition againſt his majeſty's foreign dominions; they looked upon the ſpeakers as their friends, and ſent an agent to England to concert meaſures with them, naming particularly the duke of Beaufort, ſir Watkin Williams Wynn, and ſir John Hynde Cotton.

An

An opportunity will be taken hereafter to reſume this ſub-ject, which has been only touched upon here; becauſe it was from the queſtion about the Hanover troops, that the project of the rebellion that ſucceeded, took riſe. Geo. II. 1742-3.

The firſt debate in the houſe of commons was upon the ſum of 534,763 l. voted for the pay of the Britiſh forces in Flanders. The reader, from what has been ſaid before, can eaſily form to himſelf an idea of the arguments, both for and againſt this queſtion. Nothing new was ſaid upon it; but when the inutility to the common cauſe, of thoſe troops being ſent to Flanders, was urged, it was anſwered on the part of the miniſter, that they were equally uſeful there, as they could be in Germany, becauſe they obliged the court of France to keep at home a large army, which they might otherwiſe employ againſt the queen of Hungary, or the king of Sardinia. The queſtion, however, being put, the ſum, and conſequently the ſervice, was voted, by a majority of 280 againſt 160 in the committee; and by a majority of 190 againſt 113 in the houſe, upon the report. Debates upon the pay of the Hanover troops.

Twenty-three thouſand ſix hundred and ten effective men were then voted to be the number of land-forces, for guards, garriſons, and other ſervices, including 2,322 invalids, for the year 1743; and a ſum of 647,862 l. 5 s. and 10 d. was granted to his majeſty, for defraying the charge of the ſaid troops, and other ſervices in Great Britain, the Weſt-Indies, Guernſey and Jerſey, for the year 1743. Money raiſed this year.

At the ſame time, 266,616 l. was granted to his majeſty, for maintaining his troops and garriſons in the plantations, Minorca, Gibraltar, and for proviſions for the garriſons of Annapolis Royal, Canſo, Placentia, Providence, Gibraltar, and Georgia, for the year 1743.

Eleven thouſand five hundred and fifty marines, commiſſioned-officers included, were voted to be continued, for the ſervice of the year 1743. And a ſum of 206,253 l. 15 s. was granted, for defraying the charges of them.

A ſum of 146,637 l. 7 s. and 2 d. was granted, for the charge of the office of ordnance, for land-ſervice, for the year 1743. And 98,648 l. 13 s. and 5 d. for defraying the extraordinary expence of the office of ordnance, for land-ſervice, not provided for by parliament.

Though all theſe were large grants, yet the debates that happened upon them were inconſiderable, when compared with that concerning the Hanover troops. Some of the late miniſter's friends, the lord Hervey in particular, imputed the loſs of their places to the preſent miniſter, and voted againſt the

Geo. II. 1742-3.

the meaſure. Thoſe who had lately come into place in the houſe of commons, were for it, almoſt to a man. The reſolution in their favour was carried in the houſe of commons, by a majority of 260 againſt 193 in the committee, and upon the report, by 230 againſt 177.

This majority in the houſe of commons, conſidering the number of new place-men in it, was next to a minority, and conſidered as ſuch, all over the nation; the liſts of the voters, for and againſt the Hanover troops being, as is uſual upon great queſtions, printed, and circulated all over the kingdom. But the queſtion received a much fuller diſcuſſion in the houſe of peers.

Debates in the houſe of peers upon the Hanover troops.

On the 11th of January, the eſtimate of the foreign mercenaries was laid before their lordſhips. On the 25th of the ſame month they agreed to take it into conſideration on the 1ſt of February, and that the houſe ſhould be ſummoned for that purpoſe. On that day the earl of Stanhope moved to the houſe to reſolve,

Motion there.

"That an humble addreſs be preſented to his majeſty, to beſeech and adviſe his majeſty, that conſidering the exceſſive and grievous expences incurred by the great number of foreign troops, now in the pay of Great Britain, (expences ſo increaſed by the extraordinary manner as we apprehend, of making the eſtimates relating thereunto, and which do not appear to us conducive to the end purpoſed) his majeſty will be graciouſly pleaſed, in compaſſion to his people, loaded already with ſuch numerous and heavy taxes, ſuch large and growing debts, and greater annual expences, than this nation at any time ever before ſuſtained, to exonerate his ſubjects of the charge and burthen of thoſe mercenaries, who were taken into our ſervice laſt year, without the advice or conſent of parliament."

A very long debate, the ſubſtance of which has been already given, followed this motion, which was ſeconded by the earl of Sandwich. The queſtion here was diſcuſſed with much greater force, both of reaſon and eloquence, than it had been in the houſe of commons. Amongſt thoſe who oppoſed it, was the earl of Bath, lately Mr. Pulteny, and the head of the oppoſition in the houſe of commons. He was a profeſſed whig, and as ſuch, he oppoſed the miniſter; but he never had intended that this oppoſition ſhould be carried farther, than to retrieve the nation from thoſe meaſures, which, as a whig, he thought to be wrong; and which he blamed the miniſter, who had riſen upon the whig intereſt, for purſuing. He thought the grounds of oppoſing were removed

Earl of Bath ſpeaks.

moved with the late miniſter, and that it became him to ſup- Geo. II.
port the preſent meaſures, which were thoſe he had always 1742-3.
recommended while he was in the oppoſition. The aſſiſt-
ing the queen of Hungary, and reducing the power of France, had been always his favourite topics, and he now employed all the great powers of ſpeaking he was maſter of, to enforce them. The other principal ſpeakers againſt this queſtion were, the lord chancellor, the duke of Newcaſtle, the earl of Cholmondley, lord Carteret, and lord Bathurſt. The chief ſpeakers for it, beſides the earls, who made and ſeconded the motion were, the duke of Bedford, the earl of Cheſterfield, viſcount Lonſdale, and lord Hervey. At laſt, Diviſion.
however, the motion was rejected, by a majority of 90 againſt 35.

After this, the earl of Scarborough moved to reſolve, Motion by the earl of Scarborough.
"That in the unſettled and dangerous ſituation of affairs in Europe, the ſending a conſiderable body of Britiſh forces into the Auſtrian Netherlands, and augmenting the ſame with 16,000 of his majeſty's electoral troops, and the Heſſians, in the Britiſh pay; and thereby, in conjunction with the queen of Hungary's troops, in the Low Countries, forming a great army, for the ſervice of the common cauſe, was a wiſe, uſeful, and neceſſary meaſure, manifeſtly tending to the ſupport and encouragement of his majeſty's allies, the real and effectual aſſiſtance of the queen of Hungary, and the reſtoring and maintaining the balance of power, and has already produced very advantageous conſequences." Though this motion was oppoſed ſtrongly by the ſame arguments that were made uſe of in favour of the former, yet it was carried upon a diviſion of 78 againſt 35. It was remarked, that upon this occaſion, all the ſervants of the prince of Wales voted in favour of the Hanoverians, and that both his royal highneſs and his brother were in the houſe of peers, and did the ſame. A proteſt, however, was entered, and ſigned by about twenty-ſix peers.

Four ſhillings in the pound this year was granted for the land-tax; and that bill with ſome others being ready for the royal aſſent, his majeſty, on the 21ſt of December, came to the houſe of peers, and after paſſing the bills, made the following ſpeech.

"My lords and gentlemen; I am glad of the occaſion Speech from the throne.
which my coming here at this time gives me, of expreſſing to you the great ſatisfaction I take in ſeeing ſo good a progreſs already made in the buſineſs of this ſeſſion."

"Gen-

Geo. II. 1742-3.

"Gentlemen of the houſe of commons; The readineſs and diſpatch, with which you have thus early provided ſo conſiderable a part of the ſupplies for the enſuing year, deſerves my particular thanks; and I make no doubt, but the ſame zeal for the common cauſe will induce you to enable me to concert proper meaſures, and to enter into, or make good, ſuch alliances and engagements with other powers, as may be neceſſary for the ſupport of the queen of Hungary, and reſtoring the balance of power.

"My lords and gentlemen; I look upon this good beginning, as a ſure pledge of your ſteadineſs, in purſuing the true intereſt of Great Britain, which is, and ever ſhall be, my only view."

It was generally thought, at the time, that this ſpeech was calculated to give the public a good opinion of the agreement between the miniſtry and the parliament, and of his majeſty's ſatisfaction in the new adminiſtration, as well as for obtaining the money. It is certain the oppoſition did not imagine the miniſter would be bold enough to venture upon ſuch a demand, and they were a good deal diſconcerted, when it came from the throne. An addreſs of thanks for it, however, was voted by the commons, and on the 19th of January the ſpeech itſelf was moved to be referred to the committee of ſupply. This brought on a queſtion from the oppoſition, whether the ſpeaker ſhould leave the chair, which was carried in the affirmative, by a majority of 212 againſt 119; and then after farther debate in the committee, they came to the following reſolution.

Diviſion about the ſupply.

Reſolution for it.

"That a ſum, not exceeding 500,000 l. be granted to his majeſty upon account, towards enabling his majeſty to concert proper meaſures, and form ſuch alliances, or enter into ſuch engagements with other powers, as his majeſty ſhall judge neceſſary, for the ſupport of the houſe of Auſtria, and reſtoring the balance of power in Europe." This reſolution, next day, upon being reported to the houſe, met with a freſh oppoſition, but it was agreed to, by a majority of 245 againſt 156.

Farther debates.

The next debate that happened upon money-affairs, was upon a reſolution, which the committee of ſupply came to, March 2, viz. "that 133,872 l. 8 s. and 11 d. be granted to his majeſty, for the freight of tranſports, between the 1ſt of January, 1741, and the 31ſt December, 1742." Though this was no very extraordinary ſum, conſidering the length of the time, and the unforeſeen great number of tranſports employed in it, yet the reſolution was oppoſed, on account of

the late great increaſe of the navy debt, and the vaſt ſums that had been granted to the navy account, including tranſports, and becauſe the nature of the tranſport-ſervice was not diſtinguiſhed. In ſhort, the whole of the money granted this ſeſſion, amounted to 5,912,483l. 12s. 3d. of which 598,382l. 9s. 9d. were to make good former deficiencies; ſo that the whole granted for the current ſervice of the year was 5,314,100l. 12s. 6d. Geo. II. 1742-3.

But as it is far more eaſy to grant than to raiſe money, great difficulties occurred on that head, after the land-tax and malt bills were voted. The exigency was preſſing, and it was hard to find out a fund that could ſupply it time enough for the purpoſes of the government. An alteration of the duties upon ſpirituous liquors was thought of. It was a dangerous expedient; but, in fact, all the remedies that had hitherto been propoſed and put in execution againſt the pernicious practice of drinking drams, had been found ineffectual, and the government and the revenue had been ſufferers, without the morals or the health of the people being gainers.

Upon the 14th of January, therefore, the committee of ſupply came to a reſolution to diſcontinue, from the 25th of March enſuing, the duty of twenty ſhillings a gallon granted the 9th of his majeſty's reign upon ſpirituous liquors. Inſtead of this duty it was propoſed to reſolve, Gin-act repealed. See p. 302.

"That towards raiſing the ſupply granted to his majeſty, there ſhall be paid for every gallon of low wines or ſpirits of the firſt extraction, made or drawn from any foreign or imported materials, or any mixture therewith, ſix-pence over and above all other duties charged, or chargeable thereon, to be paid by the diſtillers or makers thereof." Duty put upon ſpirituous liquors.

[a] Many other reſolutions, which the reader will find in the notes, were come to in the ſame committee, but the above was

[a] That the ſeveral rates and duties granted to his late majeſty king George I. by an act of the 12th year of his reign, for granting an aid to his ſaid late majeſty by laying a duty upon all victuallers and retailers of beer and ale, within the cities of London and Weſtminſter, and the weekly bills of mortality, ſhall, from and after the 24th of June, 1743, ceaſe, determine, and be no longer paid.

That in lieu of the ſaid rates and duties now charged with the payment of the principal ſum of 481,400l. in exchequer bills, the ſaid ſum remaining unſatisfied in exchequer bills, together with the intereſt thereupon, and charges of circulating the ſame, ſhall from and after the 25th day of

Geo. II. 1742-3.

was the principal one, which brought on great debates. The conſciencious part of the houſe, who had been zealous in promoting the gin act, looked upon the repeal of it to be a kind of licence granted to the people for poiſoning themſelves, and therefore oppoſed it with great vigour. It was, on the other hand, urged, that the prohibition of ſpirituous liquors had been found impracticable, it being impoſſible to prevent the clandeſtine ſale of them; that a high duty was next to a prohibition; that the duty propoſed was at firſt ſufficiently high, but might be encreaſed if found practicable. Upon a motion, therefore, to recommit the reſolution, it paſſed in the negative, and that and all the other reſolutions on the ſame head were carried into an act, which went through the houſe of commons.

Great debates upon the ſame in the houſe of commons.

This act, however, in the houſe of lords, met with an unuſual and vigorous oppoſition. It was known the biſhops could not be decently for it, and that the ſupplies for the current year in a great meaſure depended upon its ſucceſs. Upon its being read a firſt time, and the commiſſioners of exciſe ordered to attend, the lord Hervey moved, that ſeveral eminent phyſicians ſhould be ordered to attend at the ſame time, to prove to the houſe the pernicious conſequences of dram-drinking. But the lords in the adminiſtration conſidering that this motion was only calculated for delay, and that the phyſicians could tell the houſe nothing new upon the head, his motion was oppoſed, and ſet aſide by a majority of 33 againſt 17.

of March 1743, (together with the ſum herein after granted to his majeſty, this ſeſſion of parliament, for licences to ſell ſpirituous liquors, or ſtrong waters by retail) be ſubject to the ſame rules and methods as were preſcribed concerning the circulating and paying off the ſame exchequer bills, in and by the act paſſed in the 12th year of king George I. for laying a duty upon all victuallers and retailers of beer and ale within the weekly bills of mortality.

That towards raiſing the ſupply granted to his majeſty, his majeſty may be enabled to borrow by loan of exchequer bills any ſum or ſums of money not exceeding in the whole the ſum of 518,600 l. together with the ſaid ſum of 418,400 l. remaining unpaid of exchequer bills iſſued purſuant to the ſaid act of the 12th year of his late majeſty's reign, which ſhall be charged upon the ſaid duties granted to his majeſty this ſeſſion of parliament, for licenſes to ſell ſpirituous liquors or ſtrong waters by retail.

That the ſum of 12,492 l. 2 s. 5¾ d. now remaining in the exchequer, being the overplus of the grants for the ſervice of the year 1742, be iſſued and applied towards making good the ſupply granted to his majeſty this ſeſſion of parliament.

As

As the bench of biſhops could not well vote for a bill that, like this, had the appearance of licenſing drunkenneſs, when, after the ſecond reading of it, a motion was made for its being committed, a very long and vigorous debate followed. It was carried, however, in the affirmative, by a majority of 59 lords and 23 proxies, againſt 38 lords and 16 proxies. A freſh debate happened upon it when it came into the committee, and the lords having been every time ſummoned when it was debated, the public began to be greatly intereſted in the conſequences. The miniſter, with great abilities in all other reſpects, was not thought to excell in financing, and ſome of his enemies were in hopes, could they either protract the time, or throw out the bill, the whole of his ſchemes muſt fall to the ground. A great party in the houſe, without regarding the bill as affecting the miniſter, oppoſed it upon principle. The archbiſhop of Canterbury, the biſhops of London, Exeter, St. Aſaph, Norwich, Briſtol, Glouceſter, Sarum, Oxford, Chicheſter, oppoſed it vigorouſly; and the chief ſpeakers againſt it amongſt the lay lords, were the duke of Bedford, the earls of Aylesford, Sandwich, and Cheſterfield, lord viſcount Lonſdale, lord Talbot, and lord Hervey. On the other hand, it was as ſtrenuouſly ſupported by the duke of Newcaſtle, the earls of Cholmondley, Ilay, and Bath, and the lords Carteret and Bathurſt. In the courſe of the debate, the friends of the bill did not give themſelves much trouble to juſtify it upon principle, but they plainly proved, that the government ought to avail itſelf of the paſſion which they could not reſtrain, and that the operations of the war depended upon its ſucceſs. The oppoſite party did all they could to retard the paſſing it; and the reader may eaſily ſuggeſt to himſelf the material arguments on both ſides, which were often attended with ſallies of wit and humour. One noble lord in particular concluded his ſpeech againſt the bill in the following manner, when a motion was made againſt the commitment of the bill. "For my own part, my lords, I think the tax now propoſed much worſe than the tax invented by Veſpaſian's ways and means men: it is not only mean and ſordid, but it is vicious to the laſt degree; becauſe it will encourage and promote that vice, which is the parent of every other vice. If your lordſhips, therefore, ſhould reject that motion, and proceed in the committee, when you come to the preamble, I ſhall propoſe an amendment, which I think a very neceſſary one, for the ſake of truth as well as religion. In that part of the preamble where it is ſaid, "By "and with the advice and conſent of the lords ſpiritual and "tem-

Geo. II. 1742-3. and in the houſe of peers.

The earl of Cheſterfield.

Geo. II. 1742-3. "temporal," I hope your lordſhips will leave out the word "ſpiritual;" for it will bring a ſcandal upon the religion of the age to have it recorded in our law books, that the reverend bench gave their conſent to ſuch a wicked bill. Beſides, it is falſe in fact; for ſome of them have appeared openly and avowedly againſt it; and I do not find that any one of them will adviſe or conſent to it."

It is carried on a diviſion.

But notwithſtanding all the wit and all the various arts employed to poſtpone or defeat the bill, it paſſed, upon the 25th of February, by a majority of 59 lords preſent, and 23 proxies, againſt 38 lords preſent and 17 proxies. The paſſing of it was, however, attended by a ſtrong proteſt ſigned by 24 peers, of whom ten were biſhops.

The miniſter did not at all hurt himſelf, even without doors, by carrying through this bill; becauſe every one knew that, in fact, the evil oppoſed in the bill would ſubſiſt the ſame, and perhaps worſe, if the bill did not paſs.

On the 5th of February the committee of ways and means in the houſe of commons came to the following reſolution, which will explain to the reader the great motives which the one party had in puſhing through, and the other in oppoſing the above bill.

State lottery voted.

"Reſolved, That it is the opinion of this committee, that towards raiſing the ſupply granted to his majeſty, the ſum of one million be raiſed by annuities at 3l. per cent. per annum, and the ſum of 800,000l. by way of lottery to be attended with annuities, after the rate of 3l. per cent. per annum; which ſaid ſeveral annuities ſhall be transferable at the bank of England, and charged upon the ſeveral duties on ſpirituous liquors granted to his majeſty this ſeſſion of parliament."

Other reſolutions.

By another reſolution of the ſame committee, the rates and duties granted to king George I. by laying a duty upon all victuallers and retailers of beer and ale within the cities of London and Weſtminſter, and the bills of mortality, were repealed from the 24th of June following.

The next reſolution of the ſame committee, charged the payment of the principal ſum of 481,400l. (which was before charged upon the ſaid repealed duties) upon the duties granted for licenſes to ſell ſpirituous liquors by retail.

See note a p. 601.

By the next reſolution, his majeſty is enabled to borrow by loans or exchequer bills, 518,600l. which together with the above-mentioned ſum of 481,400l. are to be charged upon the ſaid duties.

By

By thoſe reſolutions, which all of them paſſed into an act, the reader may ſee how much the government was intereſted in carrying the repeal of the gin-act into execution; and on the 4th of March the ſame committee reſolved, that it was their opinion one million ſhould be granted to his majeſty out of the ſinking fund, towards raiſing the ſupply granted that year. Thus it appears, that the new miniſters were far from being novices in the arts of financing; for when the whole of the grants this ſeſſion came to be ſummed up, it appeared that a ſum of 118,6081. 10s. 2d. was provided by the committee of ways and means more than had been granted by the committee of ſupply [a]. Geo. II. 1742-3.

This liberality of the parliament was the more mortifying to the oppoſition without doors, as great pains had been taken all over the kingdom to obtain addreſſes from conſtituents to their members, inſtructing and even requiring them to enter upon no buſineſs relating to ſupplies, before they had received full ſatisfaction in having the place and penſion, the triennial and other bills which they termed conſtitutional, paſſed. In conſequence of thoſe inſtructions, a place bill was moved for this ſeſſion, and the motion was ſeconded by ſir Watkin Williams Wynne. The uſual topics in its favour were ſtrengthned by the mention of the behaviour of ſeveral gentlemen who had accepted of places, which was alledged to be the reverſe of what it had been when they were plain country gentlemen. The chancellor of the exchequer, at Inſtructions to members.

Place-bill moved for, December 3.

[a] The account ſtands thus.

	l.	s.	d.
November 26.			
The land tax ſuppoſed to be	2,000000	0	0
December 18.			
The malt tax ſuppoſed to be	700,000	0	0
The duties upon ſpirituous liquors, afterwards granted as a fund for borrowing	1,800,000	0	0
The duties upon licenſes, and afterwards granted as a fund for borrowing, beſides what is due upon the London victuallers duty, the ſum of	518,600	0	0
February 9.			
Beſides the funds laſt mentioned, there was this day granted the overplus of the grants for 1742, then remaining in the exchequer, being	12,492	2	5¾
March 4.			
From the ſinking fund	1,000,000	0	0
Total	6,031,092	2	5¾

Geo. II. 1742-3.

whom this reflection was chiefly levelled, profeſſed himſelf to be as great, if not a greater, friend, than ever he had been to the place-bill, but that the time was improper; as his majeſty's councils now admitted perſons who were zealous friends to ſuch a bill; and that if it was brought in, before they had an opportunity to remove certain prejudices which had been ſcattered round the throne by the former counſellors, againſt the bill, it might prove the ground of a breach between his majeſty and his people, and give the greateſt advantages to the common enemies of both. "For theſe reaſons, ſir, concluded he, though I am as great a friend as ever to the bill now propoſed, though I ſhall be ready to embrace the firſt favourable opportunity for having it paſſed into a law; yet I am againſt puſhing for it at preſent, eſpecially as I have, I think, good reaſon for believing that I ſhall, in a very ſhort time, have the pleaſure of ſeeing it readily agreed to by every branch of the legiſlature."

Oppoſed by the chancellor of the exchequer,

Though very great exceptions were taken at this ſpeech, yet the conſiderate and diſintereſted part of the houſe reflected upon the ſituation of affairs, and upon the compliances which his majeſty had already made to the ſenſe of his parliament; but above all, it was known that a bill of that kind had been for ſome time under deliberation, and that there remained but a very few difficulties to be got over in order to bring it in early next ſeſſion. Upon thoſe conſiderations, and that there might be no appearance of an endeavour to compel his majeſty to do what he was voluntarily diſpoſed to do, the motion for bringing in the bill was rejected by a majority of 221 againſt 196.

and the motion thrown out.

The broad-bottom ſcheme.

But a plan of a new adminiſtration had been by this time formed, and it was intended, as the phraſe then went, to widen the bottom of government by an univerſal comprehenſion in the ſervice of his majeſty and the public, of all gentlemen of all denominations who were not legally incapacitated. The enemies of the late miniſter thought their numbers ſufficient for that purpoſe, as it was pretty well known ſome difference had riſen between the preſent miniſter and his aſſociates, on account of the vaſt ſums which were neceſſary to be carried out in ſpecie for the purpoſes of the war. But previous to any motion on that head, on the 1ſt of December a motion was made in the houſe of commons for appointing "a committee to enquire into the conduct of Robert earl of Orford, during the laſt ten years of his being firſt commiſſioner of the treaſury, and chancellor and under treaſurer of his majeſty's exchequer."

Motion for reviving the committee againſt the earl of Orford,

This

This motion was plainly calculated to render the oppoſers of it odious. But the aim was in a great meaſure loſt. The ſum of the enquiry into the earl's domeſtic management, had fallen far ſhort of the public expectation; and the parliament was poſſeſſed of all the papers that could give the neceſſary lights for an enquiry into his foreign conduct. The motion, therefore, was treated as tending to divert the attention of the houſe from the great affairs of government, and upon a diviſion of 253 againſt 186, it was rejected. Geo. II. 1742-3. thrown out upon a diviſion.

On the 19th of January the houſe of commons voted an addreſs to his majeſty, "That he would be graciouſly pleaſed to concert meaſures for furniſhing all forces in the pay of Great Britain (as far as it is poſſible) with the product and manufactures of this kingdom." To which his majeſty anſwered, "That he was always deſirous to give encouragement to the manufactures of this kingdom, ſo far as it is poſſible, and may be conſiſtent with the public ſervice." The ſame day another motion was made, "to addreſs his majeſty to lay before the houſe copies of all conventions or engagements entered into between his majeſty and the queen of Hungary or the king of Sardinia, for paying 300,000 l. to her, and 200,000 l. to him, out of the ſupplies of laſt year." As this motion ſeemed to be a matter of mere, dangerous, curioſity, and tending to diſcover, perhaps, the moſt important tranſactions of the war during its dependence, it was rejected without a diviſion. Addreſſes to his majeſty.

But the ſtrongeſt point which the gentlemen in the oppoſition now wanted to bring againſt thoſe in the adminiſtration, was the management of the vaſt remittances neceſſary for paying the troops in Britiſh pay abroad. Mr. Gore, a merchant of very great eminence, had been the ordinary remitter for the government for the payment of the troops; and upon their being ordered abroad, he propoſed, on the 29th of April 1742, to the lords of the treaſury, to give his bills on Amſterdam for ſuch ſums as ſhould be wanting for the ſervice of the ſaid troops, upon his receiving the value thereof at the rate of 10 guilders 11½ ſtivers current money of Amſterdam for each pound ſterling. Debates about remittances to the army.

By this the reader is to underſtand, that for every 20 ſhillings Mr. Gore received in London, he was to pay no more at Amſterdam than 10 guilders 11½ ſtivers; and his propoſal was agreed to by the lords of the treaſury, without their treating with any other remitter. But the current exchange between London and Amſterdam being then at the rate of 10 guilders 18 ſtivers for a pound ſterling, ſome gentlemen

Geo. II. 1742-3.

thought that $7\frac{1}{2}$ ſtivers profit upon every pound ſterling in ſo very large a ſum, was too great. Accordingly, on the 17th of July 1742, Mr. Gore gave in another propoſal, offering to remit at the rate of 10 guilders 13 ſtivers per pound ſterling, not doubting, but in caſe the rate of exchange ſhould decline, their lordſhips would give him relief. The board agreed likewiſe to this propoſal for the next remittances. But on the 26th of October 1742, Wilkinſon and Muilman, two very eminent Dutch merchants reſiding at London, gave in other propoſals to the board of treaſury, offering to remit at the rate of 10 guilders 16 ſtivers per pound ſterling. This they propoſed to do by tranſporting foreign gold or ſpecie to keep up the courſe of exchange: but they ſaid they intended to remit as much by bills of exchange on Amſterdam and other places to be negociated there, as the nature of the affair would permit.

The lords of the treaſury referred Mr. Gore's and Mr. Muilman's propoſals to Mr. Pelham, who was then paymaſter of the forces. Mr. Pelham having accordingly weighed, with his uſual candor, which was very great, both propoſals, applied to ſome gentlemen of undoubted credit and reputation, as he certified in his anſwer to the treaſury-board, and one of them of great experience in thoſe matters, and quite unconnected with the affairs of the government, whoſe opinion it was, "That the propoſal of Mr. Gore, Mr. Gulſton, and Mr. Poyntz, at the rate of 10 guilders 13 ſtivers current money of Holland, conſidering the great ſums that will probably be remitted this year, are rather bold undertakings than otherwiſe, and that in their opinion, if accepted, will tend to the ſervice of the public." Mr. Pelham likewiſe obſerved, that the certainty of Mr. Gore's remittances, who tranſacted theſe affairs at the houſe of meſſieurs Pells and Clifford, was a great ſecurity to the government; becauſe whatever ſums might be required, there could be no danger of a diſappointment. "Upon the whole, continued he in his anſwer, as I have made the beſt inquiry I could within the time allotted me, I beg leave to obſerve to your lordſhips, that if meſſieurs Muilman and Wilkinſon effectually carry on theſe remittances at the rates they propoſe, the difference of 3 ſtivers upon every pound ſterling will be a great advantage to the public. But as they propoſe to make trial for only two or three remittances at the rate of 10 guilders 16 ſtivers per pound ſterling, without fixing any continuance of time or certainty of the ſum they will remit at that rate, from which uncertainty the government, as I apprehend,

may

may be laid under great difficulties, and thereby the public ſervice may ſuffer; and as Mr. Gore has aſſured, that he, meſſieurs Gulſton and Poyntz, look upon themſelves as bound by their propoſals for one year certain; and in conſideration that, for the time paſt, this ſervice has been carried on with great exactneſs and punctuality, which is of the greateſt conſequence to the public, I ſubmit it to your lordſhips, whether the preſent advantages ariſing by theſe propoſals, will be thought a proper inducement to your lordſhips to put this tranſaction into other hands, and whether any alterations in this affair, at this juncture, may not be attended with great inconveniencies.

Geo. II. 1742-3.

"As it is neceſſary forthwith to make a large remittance for the ſervice of the troops abroad, I humbly pray your lordſhips directions, which is ſubmitted to your lordſhips."

But four days before this report was made, Muilman and Wilkinſon delivered to the pay-maſter another propoſal, viz. "That they are ready to furniſh at Amſterdam, all the money that may be neceſſary for his majeſty's ſervice, at the rate of 10 guilders 16 ſtivers current money for the pound ſterling, for ſuch a term of time, as contracts of that nature are generally made, the value of their bills being paid them in the ſame manner as it has been paid to the preſent contractors, or is cuſtomary in the like caſe; and that if any other perſon makes propoſals for a fixed time, they are ready to do ſo too."

Upon the 11th of the ſame month, the ſame gentlemen, Muilman and Wilkinſon, preſented to the board of treaſury the following memorial:

"May it pleaſe your lordſhips,

"On Friday laſt we delivered to the pay-maſter general a propoſal for remitting to Amſterdam all the money that may be neceſſary for his majeſty's ſervice, in the ſame manner as we are informed the former remitters have lately done, without ſaying for what preciſe time. But it being intimated to us yeſterday, that one of thoſe gentlemen had ſaid, that he underſtood it for a year; if that is the time your lordſhips deſire to receive propoſals for, we have one ready to deliver, or elſe deſire to abide by that delivered to the pay-maſter general."

Propoſals of Muilman.

Notwithſtanding theſe propoſals, the lords of the treaſury, on mature deliberation, as well for the reaſons ſtated in Mr. Pelham's report, "as for the allowed ability of the remitters correſpondence in Holland, and the contract for the remittances being for a time certain, and the experience they have

Geo. II. 1742-3.

had of the punctual and effectual manner in which they have hitherto been carried on, and from the great and irretrievable detriment it would be to the public ſervice if any interruption ſhould happen in the payment of the forces, by making any alterations in the contract at this time, were of opinion it would be for the intereſt of the public to accept the propoſals therein mentioned of meſſieurs Gore, Gulſton, and Poyntz."

Some abuſes with regard to the remitting money to Jamaica having been mentioned in the report of the ſecret committee againſt the earl of Orford, and great ſtreſs having been laid upon them, the gentlemen in the oppoſition laboured to prove, that the contract with Mr. Gore was a job likewiſe, becauſe Mr. Muilman had offered to ſerve the public cheaper. Accordingly motions were made for papers to be laid before the houſe, to inform the members what ſums had been remitted to Amſterdam for the queen of Hungary and the king of Sardinia's uſe, and at what rate of exchange they were remitted; with ſeveral other papers to the ſame purpoſe. But on the 21ſt of February a motion being made, "That the proper officer do lay before the houſe copies of the letters or memorials of Mr. Wilkinſon and Mr. Muilman to the treaſurer (relating to their remitting of the public money abroad) in the months of June and October laſt, and on the 11th of January laſt." This motion introduced a long debate, in which Mr. Pelham defended with great ſtrength of reaſoning, the report he had given in favour of Mr. Gore's propoſal; and it appearing doubtful whether the other party could without remitting ſpecie[a] keep up the courſe of exchange, the motion was rejected upon a diviſion of 119 againſt 77. A reſolution, however, paſſed for laying before the houſe copies of the minutes of the treaſury, containing "all the contracts or agreements made with ſir Henry Furneſs from the 1ſt of January 1703, for the remitting money abroad during the war;" and a peremptory day was appointed for taking the whole affair of the remittances into conſideration. Mean while, ſeveral of the moſt conſiderable

Motion made,

and a day appointed for conſidering the whole affair.

[a] The quantity of bullion and coin exported November 25, 1704, for three years, ending at the Michaelmas before, was as follows:

Ingots and coin, foreign gold,	——	30,795 oz. 5 pwt.
Foreign ſilver, bullion, ——	——	540,855 oz. 5 pwt.
Of coin, —— ——	——	4,081,153 oz.

Journals of the Houſe of Commons. for the Year 1704.

remitters

remitters and merchants of London were ordered to attend the houſe. Geo. II. 1742 3.

The intention of the gentlemen in the oppoſition by all thoſe preparations, was to diſtreſs, and, if poſſible, obtain a cenſure upon, the lords of the treaſury for not complying with the offers of Meſſrs. Muilman and Wilkinſon. Mr. Waller and Mr. Bance, an eminent merchant in London, both of them members, were then in the oppoſition, and keen for the enquiry. They were perfectly maſters of the ſubject, and it happened that the merchants who were moſt converſant in thoſe matters, were very little ſollicitous about concerning themſelves in the affair. The defence of the contract, therefore, reſted principally upon Mr. Pelham, who without diſguiſing any one circumſtance attending it, made the houſe ſo ſenſible of the danger ariſing from any new contract, that a motion being made for the chairman of the committee to leave the chair, it was carried in the affirmative by a majority of 211 againſt 182. The enquiry quaſhed.

On the 4th of February a motion was made, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to give directions, that there may be laid before this houſe copies of all memorials, repreſentations, and declarations which have been ſent either to his majeſty or his miniſters by the queen of Hungary or her miniſters, or by his majeſty or his miniſters to the queen of Hungary or her miniſters, and of all letters which have been ſent to his majeſty's miniſters by the miniſters of the queen of Hungary, or by his majeſty's miniſters to the miniſters of the queen of Hungary; with copies of the reſpective anſwers to ſuch memorials, repreſentations, declarations, and letters, relating to the ſtate of the war in the empire, and the ſupport and intereſt of the houſe of Auſtria, ſince the 1ſt of September 1741, to the 16th of November 1742." Motion for papers,

This motion, dangerous, unconſtitutional, and unreaſonable as it was, bore a long debate. The friends of it, on one hand, repreſented how very reaſonable it was that the parliament ſhould be fully inſtructed in an affair that had coſt ſuch immenſe ſums of money. But their chief aim was to fix upon the late, or the preſent, miniſtry the charge of having contrived that partition of the Pruſſian dominions which had ſo greatly diſguſted his Pruſſian majeſty, and had been the cauſe of ſuch immenſe expences to England. On the other hand it was urged, that if ſuch a motion ſhould paſs, no court in Europe could be ſafe in dealing in confidence with that of England. That the tranſactions between two rejected, and why. Other motions,

Geo. II. 1742-3.

courts might be, and generally were, of ſuch a nature, that were they publiſhed, the whole operations depending upon them might be eaſily obviated and fruſtrated, and conſequently, that nothing could be more prejudicial to the queen of Hungary, than the agreeing to ſuch a motion. It was farther urged, that if, upon every little rumour or ſuſpicion, a houſe of parliament ſhould order a royal cabinet to be thrown open before them, all conſtitutional prerogative was at an end; and that the criſis was ſo favourable for her Hungarian majeſty, as to call for thanks to the adminiſtration rather than for an enquiry into their conduct. Upon thoſe and many other arguments, the motion was rejected by a majority of 212 againſt 154.

rejected.

Motion for Pruſſian papers,

February 10, a motion was made, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to communicate to this houſe copies of all declarations, memorials or repreſentations, letter or preces of letters, and an account of all verbal communications from the king of Pruſſia or his miniſters, to his majeſty or his miniſters, or to the States General or their miniſters, and by them communicated to his majeſty or his miniſters, relating to any auxiliary or foreign forces entering into Germany in ſupport of the queen of Hungary."

Foundation for it.

This motion had a much better foundation than the former. The king of Pruſſia had intimated great uneaſineſs at the ſtate of affairs in Germany, where he ſaid the emperor was upon the point of being dethroned. The queen of Hungary was maſter of his dominions, and in all appearance a total revolution of the Germanic ſyſtem was about to take place. His Pruſſian majeſty made no difficulty in declaring, that notwithſtanding the treaty of Breſlau, he could not be an unconcerned ſpectator of ſuch oppreſſions of the Imperial dignity, which, as an elector of the empire, he was bound to ſupport. He hinted at the ſame time, that as a German ſovereign, he could wiſh that the government of England would not think of ſending their army into Germany, becauſe he muſt behold the introduction of any foreign troops there with great diſguſt and jealouſy. The queſtion, however, upon the motion being called for, it was carried in the negative by a majority of 148 againſt 130.

The next motion made was, "That an humble addreſs be preſented to his majeſty, that he will be graciouſly pleaſed to communicate to this houſe copies of all declarations, memorials or repreſentations, letters or preces of letters, from the king of Sweden or his miniſters, to his majeſty or his miniſters,

ſters, concerning the Heſſian forces (now in the Low Coun- Geo. II.
tries) marching or not marching into Germany, together 1743.
with the anſwer given by his majeſty or his miniſters relating thereunto." As this motion was built upon the ſame principles as the former, it was likewiſe rejected; but the making it occaſioned various ſpeculations without doors, which were afterwards in a great meaſure juſtified.

But the moſt remarkable motion made upon this occaſion, Remarkable
was that of February 17, which was, "That an humble motion.
addreſs be preſented to his majeſty, that he would be graciouſly pleaſed, if it be neceſſary to march an army into Germany, to order all the mercenaries in the pay of Great Britain to that ſervice, in conſideration of the great diſtance, charge, and inconveniency it will be to the Britiſh troops; and that part of the ſaid Britiſh troops be left in the Low Countries, if any of the forces we now pay abroad are to remain there; and humbly to beſeech his majeſty that he will, in compaſſion to the diſtreſſes and poverty of this nation, eaſe us of the burthen and expence of the 6000 Heſſians, if they do not march, or cannot act in the empire; and that if 6000 men are wanting in the Low Countries, that they may be ſupplied from our own numerous (otherwiſe burthenſome) army at home."

This motion was, upon the ſame principles that the former ones were, rejected likewiſe by a majority of 182 againſt 130.

Very little more need be ſaid with regard to the tranſactions of this ſeſſion of parliament, which was far from being ſo productive of good laws as had been uſual of late years. The chief not here taken notice of, was an act to explain and amend the laws touching the elections of members to ſerve for the commons in parliament for that part of Great Britain called Scotland, and to reſtrain the partiality and regulate the conduct of returning officers at ſuch elections.

On the 21ſt of April his majeſty put an end to the ſeſſion End of the
by a ſpeech from the throne, in which he delivered himſelf ſeſſion.
in the following words:

"That this nation, and the common cauſe, may reap the Part of the
"moſt beneficial fruits of your vigorous reſolutions, I have, king's
"at the requiſition of the queen of Hungary, ordered my ſpeech.
"army, in conjunction with the Auſtrian troops, to paſs the
"Rhine, as auxiliaries to her Hungarian majeſty, and for
"her ſupport and aſſiſtance, and to oppoſe any dangerous
"meaſures that might affect the balance and liberties of Eu-
"rope, or hinder the re-eſtabliſhment of the public tran-
"quillity,

Geo. II. 1743. "quillity, upon juſt and ſolid foundations. I have continued "a ſtrong ſquadron in the Mediterranean, and another in "the Weſt Indies, in order to carry on the great work of "diſtreſſing our enemies the Spaniards, and reducing them "to ſafe and honourable terms of peace, as well as of main-"taining the rights of navigation and commerce belonging "to my ſubjects: and from the former of theſe ſquadrons, "my allies in Italy have found, and ſtill continue to receive "a moſt uſeful and advantageous ſupport." The lord chancellor, by his majeſty's command, then prorogued the parliament to the 7th of June enſuing.

CHAP. XIII.

General reflections—King goes to Hanover—Caſe of the Highland regiment—Progreſs of the war in Germany—Bavarians defeated by prince Charles at Branau—Munich retaken—The emperor retires to Auſburg—Death of cardinal Fleury—The march of the Engliſh and their allies into Germany—Scheme of lord Stair—His declaration—Dutch declare for the queen of Hungary—His Britannic majeſty arrives at his army in Germany—The French defeated at the battle of Dettingen—Neutrality of the emperor—The French evacuate the empire—An account of the famous negotiations at Hanau—Battle of Campo Santo in Italy—The treaty of Worms—Genoeſe proteſt againſt it—Dutch join the allies—Prince Charles fails in his paſſage of the Rhine—Reſignation of lord Stair.

General reflections on the ſtate of Europe.

THE intermixture of the intereſts of Europe towards the opening of the campaigns of this year, was very particular. The queen of Hungary depended upon his Britannic majeſty, as the emperor did upon his moſt Chriſtian majeſty, for ſupport; and yet neither France nor England were as yet principals in the quarrel. The queen of Hungary, who had been forced to take up arms, could not now be perſuaded to lay them down; and the emperor, who had compelled her into the war, now ſued for peace, without being able to obtain it, though he offered in his own, and in the name of the French, to evacuate all the Auſtrian dominions. The queen of Hungary and the king of Sardi-

nia, though united againſt the Spaniards, had claims upon one another; and nothing but the common dread they had of the houſe of Bourbon, could have prevented them from coming to an open breach, whilſt Spain, who was a principal in the war againſt Great Britain, riſked even her poſſeſſion of the Weſt Indies, on which the very exiſtence of her monarchy depended, to hammer out, in the center of Italy, a ſovereignty for the ſon of her ambitious queen. The princes of the empire beheld, without any jealouſy, the Imperial dignity ſevered from the houſe of Auſtria, and veſted in a prince, who had no power to make himſelf be dreaded, and who was grown viſibly burthenſome to his allies, and deſpicable amongſt his vaſſals. The king of Pruſſia, though ſurrounded by the tumult of war, was cultivating in his own dominions the arts of peace, but with a vigilance, that kept him always prepared for action; while Great Britain, at peace within herſelf, and without any enemies ſhe had the leaſt reaſon to dread, was carrying all the terrors of war into countries, diſjoined from her by ſituation, and unconnected with her in intereſt. Geo. II. 1743.

But the faith of treaties, and the honour of ſovereigns, cannot diſpenſe with inconveniencies of that kind. The faith of the Britiſh nation had been again and again ſolemnly plighted for the ſupport of the pragmatic ſanction, and no evil can be conſidered ſo dreadful, as the breach of national faith is infamous. It is plain, that it was this conſideration alone that determined his Britannic majeſty this year to take the field in perſon at the head of his troops. On the 25th of April, the following were the lords juſtices appointed for governing the kingdom in his majeſty's abſence. His grace the archbiſhop of Canterbury, the right honourable the lord chancellor, duke of Grafton, duke of Dorſet, duke of Devonſhire, duke of Newcaſtle, duke of Bolton, earl of Harrington, earl of Bath, earl of Wilmington, marquis of Tweedale, duke of Montague, duke of Richmond, earl of Pembroke, earl of Winchelſea, earl of Ilay, lord Gower, lord Carteret, and Henry Pelham, eſq; Motives of his Britannic majeſty to take place in the war. Regency appointed.

On the 27th of the ſame month, his majeſty, with his royal highneſs the duke of Cumberland, ſet out from St. James's for Graveſend, but the wind proving unfavourable, it was Friday the 6th of May, before he arrived at Hanover.

Before his departure, he made the following large promotion of general-officers. General of horſe, Philip Honeywood; general of foot, lord Mark Ker; lieutenant-generals, Clement Nevill, ſir John Arnot, bart. William Hargrave, Henry Cornwal, Henry Harriſon, Thomas Howard, John Cope, Promotions of general-officers.

Geo. II. 1743. Cope, John Ligonier; major-generals, Charles duke of Richmond, John Guiſe, William Anne, earl of Albemarle, his royal highneſs William duke of Cumberland, George Read, Stephen Cornwallis, Archibald Hamilton, John earl of Rothes; brigadier-generals, Alexander Irwin, Richard St. George, John Campbel, William Blakeney, William Handaſyde, Humphry Bland, James Oglethorp, John lord Delawar, Charles duke of Marlborough.

On the 5th of April, Peter Campbel, John Jones, Richard Philips, Roger Handaſyde, Henry Hawley, eſqrs; and James lord Tyrawley, were made lieutenant generals; and a few days after, James Scot, eſq; and Daniel O'Carrol, were added to their number.

Caſe of the Highland regiment. Soon after the departure of his majeſty, an affair, though inconſiderable in itſelf, happened, which threw London itſelf into a conſternation; the effect of long ſecurity and indulgence in luxury. It had been thought in the late reign neceſſary to raiſe ſome companies of well affected Highlanders, to preſerve the peace of the Highlands of Scotland. It is more than probable, that when they were raiſed, they had no idea of being employed in any other ſervice; and they were very uſeful in ſuppreſſing the robberies and inroads of their ill-affected countrymen upon one another, as well as upon the inhabitants of the Lowlands. As thoſe Highlanders had a genius for arms, they were eaſily diſciplined; and their pay enabling them in their own country to live far above the rate of the common people, their companies were formed of the better ſort of the inhabitants; nor was there ever any difficulty in recruiting them with the choiceſt men. In ſhort, they grew ſo famous for their regularity, ſobriety, and military diſcipline, that they were regimented, and the command of them being given to lord Semple, they were ordered to march to London. Before they arrived there, which they did in excellent order, his majeſty was gone to Hanover; but they were on the 14th of May reviewed by general Wade upon Finchley common, and next day ordered to march to Graveſend. This they exclaimed againſt, as a breach of the terms on which they had liſted; and on the 17th of the ſame month, about one hundred and fifty of them mutinied, and marched off in a body towards their own country; their numbers, however, diminiſhed, either by returning to their duty, or by taking ſeparate roads, to one hundred, and theſe pointed their march towards Oundle, in Northamptonſhire, where finding themſelves purſued, they took poſt in a wood, and formed themſelves into a defenſive figure. Mean while, cap-

Part of it deſerts.

tain

tain Ball, of general Wade's regiment of horſe, was ordered by general Blakeney to go in ſearch of them, and in a ſhort time they were heard of in the wood, which was inveſted by general Blakeney. But, before this, the deſerters had entered into a ſeparate treaty with major Creed, a juſtice of peace in that country, and finding themſelves entirely unſupported, they admitted of a parley with captain Ball, and ſurrendered to general Blakeney, who was by this time come up, without any bloodſhed. They were then ſent priſoners to the Tower of London, where three of them were ſhot, the reſt were ſent to Jamaica, and the main body of the regiment to Flanders, where they afterwards performed excellent ſervice. Geo. II. 1743. They are retaken, and the ring-leaders executed.

The laws of hiſtory now require the tranſactions of the war that this year broke out, and blazed with ſo much fury, all over Germany and Italy, to be recounted in order of time. This is the more requiſite, as the operations of the Engliſh and the allies in Germany were greatly influenced by the preceding operations between the Auſtrians and their enemies in the ſame country. Progreſs of the war in Germany.

The body of French troops, which had eſcaped under Belliſle from Prague, ſoon quitted Egra, which was immediately inveſted by prince Lobkowitz, after he had recovered poſſeſſion of Prague. But Broglio, who continued to command the French troops in Bavaria, took his meaſures ſo well, that he threw into the place very large ſupplies, both of men and proviſions, which obliged the Auſtrians to retire, with ſome precipitation, from before the place. Broglio, at the ſame time, made ſuch a diſpoſition of his troops, that the Auſtrians did not think it ſafe to attack him without a reinforcement. The emperor, on the other hand, had made very great efforts for recruiting his army, and having raiſed about 20,000 men, he encamped them at Limbatch, near Branau, very advantageouſly, and ſent the moſt preſſing requeſts to Broglio, to join him with the French under his command. Theſe laſt, during the winter time, had ſuffered incredibly, from the heat of the German ſtoves, the badneſs of their quarters, and the unwholeſomeneſs of their proviſions; and Broglio had inſtructions not to join the Bavarians, but to keep upon the defenſive, till he ſhould receive a large reinforcement, or join the duke of Noailles, who had at that time aſſembled a body of 70,000 men, had entered the Palatinate, and was advancing towards the Rhine, where he ſeized Spires, Worms, Oppenheim, and Heidelburgh on the Neckar. Egra blockaded.

Mean

Geo. II. 1743.

Mean while, Prince Charles of Lorrain, on the 25th of April, took upon himſelf the command of the Auſtrian troops in Bavaria, while prince Lobkowitz kept marſhal Broglio in play. The Bavarians continuing ſtill in their ſtrong camp at Limbatch, prince Charles collected all his force in order to attack them, which he did on the 8th of May in their camp, that was much better fortified than prince Charles himſelf had foreſeen, and the attack was very deſperate; but at laſt, the Auſtrian courage carrying all before them, prince Charles obtained a complete victory, took general Minucci, who, that day, ſhewed great courage and abilities, and many other officers, priſoners; and the Bavarians, upon the whole, loſt 5000 men, with their camp.

Bavarians defeated at Branau.

Seckendorff, who commanded the Bavarians in chief, was not preſent at this battle, which proved ſo fatal to the Imperialiſts, who were now ſhut up in Branau, a very ſtrong place. Prince Charles, who all this campaign was under the direction of Kevenhuller, made now a rapid progreſs in Bavaria, by taking all the poſts of any conſequence, while the remains of the Bavarian army being collected by Seckendorff, retired to Landſhut, to cover Munich. Broglio's army was now conſiderably reinforced, but ſtill he declined joining with the Bavarians. Prince Lobkowitz had at this time marched from Bohemia into the Upper Palatinate, where he drove the French from all their poſts with great loſs; while the Auſtrian troops from Tirol made an irruption into Bavaria, and the emperor, being thus in danger of being ſhut up in Munich on all hands, again left that capital on the 16th of May, and had an interview with Broglio and the other French generals, at Velſhaven. But neither his authority, nor the reaſons urged by Seckendorff, could perſuade Broglio to quit his advantageous ſituation on the banks of the Danube, by which his troops were ſupplied with plenty of proviſions, and had at their backs Strawbingen, Ingolſtadt, and Donawert, where they could retreat to, in caſe of a defeat. The conſequence was, that the French avoiding to come to a general battle, count Seckendorff was obliged to abandon the defence of Munich, which, on the 8th of June, was again taken poſſeſſion of by the Auſtrians under count Kevenhuller, while the unfortunate emperor, once more ſtript of all his dominions, was obliged to retire to Oſburg, an Imperial city.

Bavaria again overrun by the Auſtrians,

who retake Munich.

It muſt be owned, that the caution of Broglio was as dangerous as it was inglorious. It does not fall within the plan of this hiſtory to particularize every action between the Auſtrians,

Auſtrians, French, and Bavarians, during this bloody campaign. It is ſufficient to ſay, that the French ſuffered more by having their poſts ſurprized or ſtormed, their detached parties cut in pieces, and their main body being forced upon long incommodious marches, than they could have done had they hazarded and loſt a battle, and, upon that loſs, entirely evacuated Bavaria. For, prince Charles, after making himſelf maſter of Dingelfinden, and afterwards of Landau upon the Iſer, ſeized upon the bridge over the Danube at Deckendorf, which town he took by ſtorm, and thereby obliged Broglio to abandon his ſtrong camp at Pladling, and to retire with the utmoſt precipitation and hurry to Ratiſbon. From thence, both he and the Bavarians hurried to Ingolſtadt, which they reached about the 12th of June. Upon the 15th of the ſame month, prince Charles arrived with his army at Greiſſenfeldt, on the ſouth ſide of the Danube, as did prince Lobkowitz at Toring, on the other ſide of that river, over which they kept a communication, by means of bridges, and both armies were then not diſtant nine miles from the French and the Imperialiſts. Geo. II. 1743. Great loſſes of the French.

The pitiful figure which the French made during this retreat, is ſaid to have been inconceivable. The Auſtrian huſſars and irregulars were perpetually harraſſing and cutting off their troops; whole regiments at a time, in a manner, offered their throats to the ſabres of the enemy, who were at laſt ſo glutted with plunder, that they carried off nothing but gold, ſilver, watches, and jewels, and left the reſt of the French baggage to the common people of the country, who performed the work of death under them, by cutting in pieces, or knocking on the head every Frenchman, whom they could ſecurely kill; ſo greatly were the Bavarians themſelves exaſperated by the barbarities, which their allies had been guilty of in their country. The booty made upon this occaſion, is ſaid to have amounted to upwards of 1,000000 florins. But it is now time to attend the motion of the Britiſh troops and their auxiliaries in Germany. Great booty taken from them.

After the march of Maillebois to the relief of Prague, had delivered the electorate of Hanover from all apprehenſions of the French, a courier was diſpatched from London to Hanover, ordering the march of 16,000 Hanoverian troops to join the Britiſh in Flanders. The Heſſians in Britiſh pay were ordered to march at the ſame time; and the biſhop prince of Liege proteſted againſt the paſſage of the Hanoverians through his dominions without his leave, which, it ſeems, never had been aſked. The reader has already been made The Britiſh and their auxiliaries put in motion.

ac-

Geo. II. 1743. acquainted with the backwardneſs of the Dutch, which diſconcerted all the plans of his Britannic majeſty, who propoſed to avail himſelf of that juncture, and to beſiege Dunkirk. This propoſal failing through the Dutch, the Auſtrians, who compoſed part of the confederate army, marched back to Luxenburgh, the Britiſh and the Heſſians into winter quarters, in the towns of Flanders, and great part of the Hanoverians were cantoned in the territories of Liege.

Character of the duke d'Aremberg.

The duke d'Aremberg, the Auſtrian general, who commanded the Auſtrians in the Low Countries, was at this time at London. He was a man of great family and fortune in the Low Countries, which made him ſo uſeful to the queen of Hungary, that ſhe was obliged to employ him. He was brave, and underſtood the art of war, but added the indolence of a Fleming to the vices of a German; yet upon the whole, he was no unreaſonable man; and, though not a little ſelfiſh, he was well affected to the ſervice of his miſtreſs. He had ſome reaſons of a private nature, why the operations of the war ſhould not, on the part of Great Britain, begin in the Low Countries; and he had agreed with the court of England, that the confederate army ſhould

Scheme of lord Stair.

march from Flanders into Germany. The earl of Stair, who was to command the Britiſh troops, was of opinion, that conſidering the good condition of the allied army, and the vaſt loſſes the French had met with, ſomething at that time might have been done againſt the interior parts of France, which might have ſpread terror even to the gates of Paris. But this could not be well done, unleſs Great Britain and Auſtria ſhould declare war againſt France, and unleſs the allies were ſure of being ſupported, by the Dutch declaring war likewiſe, which laſt was far from being yet the caſe. Add to this, the queen of Hungary inſiſted upon the march of the allies into Germany, which was agreed to at the court of London, becauſe they could there act with moſt propriety as auxiliaries. Towards the end of November, the duke of Aremberg and the earl of Stair arrived in the Low Countries, and ſome motions were made for an immediate march, occaſioned by the prince of Saxe having joined Broglio in his retreat from Bavaria, by which the French, together with the Bavarians, became ſuperior to the Auſtrians. But Broglio, notwithſtanding all the remonſtrances of the emperor, obſtinately continued his march towards the Rhine, without hazarding a battle. The allied army in the Low Countries therefore continued in winter quarters unmoleſted, till the beginning of February, 1743.

It

It is certain, that nothing but the firmneſs of his Britannic majeſty to his engagements, could, at this time, have prevented all the meaſures concerted for the relief of the queen of Hungary from falling to the ground. The uneaſineſs the king of Pruſſia had begun to diſcover at the march of foreigners into the empire, the indeciſion of the Dutch, and ſome unſatisfied ſcruples, which the Heſſians had, as to acting againſt the head of the empire, were ſo perplexing, that it was once reſolved, the Heſſians ſhould remain in Flanders to garriſon the towns there, while an equal number of the Auſtrian garriſons were to take the field in their room. Geo. II. 1743. His Britannic majeſty's firmneſs and difficulties.

In the mean while, an event happened, which had great influence upon the affairs of Europe. This was the death of cardinal Fleury, on the 18th of December, 1742, at the age of 89. It appeared at his death, that the whole of his annual revenue, moſt of which conſiſted in the income of two abbies, amounted to only about 4000 l. a year, the whole of his civil appointments not being quite 2000 l. a year, and all the eſtate he left fell under 4000 l. in the whole. This abſtinence, and his never having done any thing material for his relations, were proofs of his virtue. But it ſoon appeared, that the great fame of his abilities, was owing to his living in the ſame age, and at the ſame time, with a pacific miniſter of Great Britain. During the management of the war, he diſcovered no capacity for buſineſs; and France, by his puſillanimous perplexed conduct, ſaw all her ſchemes of ambition daſhed in pieces, and ſuffered many blows, equally diſgraceful and ſevere. Death of cardinal Fleury.

In the month of February, 1743, the allied army began their march from Flanders to Germany. It was the 19th of May before all the Britiſh troops had paſſed by Aix-la-chapelle. They were joined in their march by the Hanoverians, and their motions leaving now no room for the Dutch to doubt that England was in earneſt, they conſented to put 6000 of their troops into garriſons to relieve the Heſſians, who now had orders to march towards Germany. At this critical time, the elector of Mentz died, as had the elector Palatine a little before, being ſucceeded without any trouble, by the prince of Sultzbatch. The allies were now in hopes of being joined by the Heſſians, and 6000 more electoral troops of Hanover in the pay of that electorate, were juſt arrived upon the Rhine. The emperor was then at Frankfort, which, as a neutral town, admitted of a peaceable reſort of all the officers of the different armies, who very ſociably mingled there. As the ſupport of the pragma- The allies march to Germany. Death of the electors of Mentz and Palatine.

Geo. II. 1743. tic ſanction, and the deliverance of Germany from the French, were the only profeſſed motives the Britiſh troops had for marching into Germany, the earl of Stair ordered quarter-maſter-general Bland to declare to the emperor, "That nothing more was intended by the march of the Britiſh troops into the empire, than to contribute towards re-eſtabliſhing the peace thereof. That his Britannic majeſty, upon appointing him to command them, had expreſsly charged him, to avoid every thing that might in the leaſt injure the dignity of the head of the empire. That, therefore, his Imperial majeſty might aſſure himſelf, that the march of theſe troops would be directed in ſuch a manner, as not to diſturb the reſidence of the emperor at Frankfort."

Declaration of the earl of Stair to the emperor.

About the ſame time, field-marſhal Stair, by expreſs orders of the king his maſter, whoſe caution and juſtice on this occaſion, can never be enough commended, ſent the following letter to the magiſtrates of Frankfort.

"Gentlemen,

His letter to the magiſtrates of Frankfort.

"I take this opportunity, by brigadier Bland, quarter-maſter-general of the Britiſh troops, to give aſſurances, and without any equivocating, that you have nothing to fear from the neighbourhood of our army, neither in reſpect to the liberty of your city, or in regard to your territories. Our ſoldiery ſhall take nothing of you, but what they ſhall pay ready money for. The king, my maſter, ſends his army to Germany to preſerve its liberty, and to ſhake off the yoke of a foreign invaſion, under which at preſent it groans, and has already ſeveral times been laid waſte by the like invaſion, made by troops of the ſame nation, and with the ſame views. As the commerce of our army may be very uſeful to your city, you may make ſuch regulations with Mr. Bland relating thereto, as ſhall be moſt convenient for you, with which I flatter myſelf, that I ſhall have reaſon to be ſatisfied. You ſhall find me a zealous partiſan for the Germanic liberty, and an enemy to all ſort of oppreſſion and perfidiouſneſs. I have the honour to be, gentlemen,

Yours, &c.

E. of Stair."

Though the magiſtrates of Frankfort returned a very civil anſwer to the compliment paid them by the earl of Stair, the emperor did not chuſe to truſt to his excellency's aſſurances; and even before the Britiſh troops had arrived in the neighbourhood of Frankfort, he returned to Munich with the prince royal his ſon. But his ſentiments, by this time,

had

had taken a very different turn; and to account for it, it is necessary to attend to what had passed some time before in the United Provinces, and at the court of France, which will naturally account for the very great turn which the war took from this period. Geo. II. 1743.

The marquis de Fenelon, the French ambassador at the Hague, omitted no kind of art to prevail with the Dutch to declare themselves neuter. This, as has been before hinted, must have been effected, had it not been for the apprehensions they were under of the English party, which, as appeared by the event, was too strong amongst the people to be controuled by their government. In July 1742, their High Mightinesses were prevailed upon by the states of Holland to agree to a proposition, for immediately putting 50 battalions, amounting to 40,000 foot, and 50 squadrons, amounting to 7,400 horse, into a condition to march on the first notice. In consequence of this, their High Mightinesses made a great promotion of general officers, by which the prince of Orange was assigned to the rank of lieutenant-general. But that prince conceiving this rank to be below his quality, as captain-general of three of the provinces, declined accepting it, by a very smart letter he wrote to their High Mightinesses, which was followed by another, in the like strain, from the province of Friesland, in which a charge was brought, as if several of the late resolutions of their High Mightinesses had passed, contrary to that unanimity, which the constitution of the United Provinces requires. Forces of the Dutch augmented.

A young gentleman, one of the deputies, whose name was Van Haren, behaved with great spirit, in favour of the common cause, upon this and several other occasions. He was, considering him as a Dutchman, no contemptible poet, and had been author of several copies of verses, applying the ancient state of Greece to that of his own country, now overawed by the French, as the Greeks had been by the Persians and the Macedonians. Those little poems, several of which gave umbrage to the court of France, were greedily read by the Dutch of all denominations, and their effects were such, that the people began to form cabals, which threatened the government itself. At last, on the 2d of February, 1743, the states of Holland and West-Friesland, after having paid a sum of money to the queen of Hungary, in lieu of the forces they were obliged to furnish, came to a resolution, in consequence of a memorial presented by baron Riesbash, the Austrian ambassador, to discontinue their subsidies in money; for a real succour, says the words of the Effects of Van Haren's verses.

Resolutions of the States-General.

Geo. II. 1743.

reſolution, "conſiſting in a body of troops, the number of which ſhould be concerted with the intereſted powers, of which they gave notice, not only to the queen of Hungary, but to the king of Great Britain, who has declared to their High Mightineſſes, that he reſolved to fulfil his engagements, and to aſſiſt the ſaid queen with all his forces; to which end it becomes neceſſary to concert with the miniſters of the ſaid powers, what other potentates it may be adviſeable to invite to concur in aſſiſting the queen, and what ways and means are the moſt proper to diſpoſe them thereto, and at the ſame time in reſpect to the troops of this eſtate, to take ſuch meaſures, and make ſuch diſpoſitions, as that all poſſible precautions may be uſed to keep the war at a diſtance from the frontiers of this republick."

They next reſolved, that the number of men to be furniſhed at preſent, ſhould not be more than 20,000, of which, one fifth ſhould be cavalry, and that in the mean while they would do their utmoſt to re-eſtabliſh peace, upon equitable and honourable terms.

The French renew the war in Germany.

The king of France, upon theſe reſolutions, which were afterwards executed, being communicated to him, wrote two very ſtrong letters to his ambaſſador the marquis de Fenelon, declaring his intention to ſupport the emperor; and in the mean time, he ordered a new augmentation of his troops, made a promotion of general officers, and his armies being now retired out of Germany, he ordered the marſhal de Noailles, who was incomparably the beſt general in France, to put himſelf at the head of between ſeventy and eighty thouſand troops upon the Rhine, and to advance againſt the Engliſh and their allies. His firſt motion about the beginning of June, was to paſs the Rhine, and to ſend a large detachment from his army, under count Segur, to join Broglio, and he next made diſpoſitions to attack the allied army, which was then encamped in the neighbourhood of Frankfort, above and below the town of Hochſt, upon the Mayne.

Strength of the allies and the French upon the Rhine.

The allied army was now reckoned, after all deductions for ſickneſs and loſs of men were made, to conſiſt of 37,000 men, and that of Noailles about 58,000. The French attempted to ſurprize Hailborn, a ſtrong town on the Neckar, belonging to the duke of Wirtemberg, in Suabia; but the garriſon refuſing to admit them, they were diſappointed. After paſſing the Rhine on the 14th of May, the lord Stair offered them battle, which the French not accepting of, a great many motions followed, in which Noailles ſhewed himſelf to be a very able general, and got ſeveral advantages, which

which were chiefly owing to some disputes raised by the duke d'Aremberg, who was unwilling to risk a battle with such [illegible] of numbers against the allies, at least not till after the arrival of his Britannic majesty, who was hourly expected in the camp. The allies by this time saw themselves in danger of wanting forage; lord Stair, through the obstinacy of the Austrian general, not being able to guard the posts higher up the Mayne, which were seized upon by the French, and were necessary for securing provisions and forage from Franconia. He found means, however, to prevent the French from seizing Aschaffenburgh, where there was a bridge over the Mayne. It was there he established his head quarters, and his Britannic majesty, attended by the duke of Cumberland and lord Carteret, arrived there on the 19th of June. Geo. II. 1743. His majesty arrives at his army.

His majesty found his army full of spirits and eager to fight; but, upon the whole, in a deplorable situation for want of subsistance. The French continued possessed of all the upper posts upon the Mayne; the boats below, obstructed at once by the enemy's hussars and the rapidity of the stream, unable to come up with provisions, and in sight of a superior army commanded by a cautious, able general, who had taken his measures so wisely, that he thought the allies must be reduced either to surrender prisoners of war, or to be cut to pieces in their retreat. Could skill or courage have remedied their misfortunes, they might have been soon remedied; but nothing but a retreat to Hanau could be thought of; and accordingly, on the 26th of June, orders were given for the army to strike their tents, and to begin their march by day-break. The road they were to take was between a mountain and the river; the French had unaccountably been suffered to throw bridges over the Mayne, and the allies, in their march, were exposed to the enemies batteries. To compleat the misfortunes with which the allied army was threatned, the two bodies of Hessians from the Low Countries under prince George of Hesse, and of the Hanoverians in the electoral pay, under general Druchleben, were not yet come up, and were in danger of being intercepted by the French. Difficulties of the allied army.

The allied army began to march at break of day, from the right in two columns. From the motions of the French, their design appeared to have been to pass the river at Aschaffenburg, and to attack the rear of the allied army in its retreat. His Britannic majesty was so much persuaded of this, that he himself took post in the rear, which by his orders was brought up by the three battalions of English guards, and the four of Lunenburgh that covered the quarters, and by the Ha- Battle of Dettingen.

Geo. II. 1743. nover cavalry, with ſome artillery. This was a very fortunate diſpoſition, as a battery of French cannon, which [illegible] the Hanoverian cavalry in flank, was ſoon ſilenced by the artillery of the allies, which did great execution. [illegible] his majeſty was thus, with vaſt pains and danger, bringing up the rear of his troops, the front lines, which were compoſed of the Britiſh cavalry, followed by the Auſtrians, and then by the Britiſh and Auſtrian foot, perceiving the French paſſing the river at Sellingſtadt, ſo as to be on the ſame ſide of the river with the allies, made a ſudden halt. Such of the Engliſh troops that had taken poſſeſſion of Dettingen, a village that lay in their way, abandoned it, and falling back to the main body of the army, which was ſtill halting, the French who, by this time, had paſſed the river in great numbers, immediately ſeized that village, which they began to fortify, as they did the banks of a rivulet which run from the mountains that lay upon the right of the allies into the Main. Beſides this, the French were poſſeſſed of a moraſs and a hollow way, all which ſecured their front, while their right was ſecured by the village of Wolſheim, and their left by a wood, their cavalry being in the center. The intention of Noailles in this diſpoſition of his army, was undoubtedly to oblige the allies to attack them at a vaſt, and, indeed, an inſurmountable, diſadvantage.

Mean while, his Britannic majeſty, underſtanding this diſpoſition of the French, had ſent orders to draw up his army in order of battle, the front to the enemy, the right extending to the mountain, and the left to the river, the flanks being as well ſecured as the immediate neceſſity of the diſpoſition could admit of. This order of battle, though judged very maſterly, and executed in leſs time than could be well imagined, could not, however, have prevented the allies from ſuffering great inconveniencies, if not total ruin, had it not been for the impetuoſity of the duke de Gramont. For the marſhal de Noailles having formed his lines, re-croſſed the river, the better to obſerve the ſituation of the allies, and to order more cavalry to march over, without communicating to the duke de Gramont, his lieutenant general, and colonel of the French guards, his real deſign, which was to oblige the allies to attack. The duke, therefore, and the younger French general, paſſed the defiles they were ſo advantageouſly poſſeſſed of, and gave the allies an opportunity of fighting them upon more advantageous terms, though they were ſtill terribly raked by the French artillery.

His

His Britannic majeſty, who by this time had come up to the front of the army, gave new ſpirits to the ſoldiers, by encouraging them to meet the enemy, who were now drawing very near his front; and drawing his ſword, he placed himſelf at the head of the Britiſh and Hanoverian infantry on the right. Lieutenant generals Clayton and Sommerfelt, with the duke of Cumberland as major general, were at the head of the firſt line of foot. Lieutenant general the earl of Dunmore, and major general the earl of Rothes, commanded the ſecond; general Honeywood, the lieutenant generals Campbel, Ligonier, and baron de Courriere, with major general the earl of Rothes, led on the firſt line of horſe; and lieutenant generals Cope and Hawley, were at the head of the ſecond. Geo. II. 1743.

The proſpect which the Britiſh troops now had of meeting their enemies, though they ſtill continued to be expoſed to inactive death from their batteries, gave them ſuch ſpirits, that they fired too ſoon; but they quickly re-charged their pieces, and advancing to meet the enemy, who were marching up to them, the firing in a moment became general from flank to flank of the front. The French black mouſquetairs, then in a bravado, detached themſelves from their lines, and paſſing between the two fires of the allied foot at full gallop, were encloſed and all of them cut to pieces.

Noailles, who when his lines firſt marched to attack the allies, was on the other ſide of the river, beheld with grief and aſtoniſhment the motion of his troops. He immediately made all the haſte poſſible to give the proper directions; but by that time the advantage of the day was inclining to the allies, and all he could do was either to retrieve the miſmanagement of his own troops, or to bring them off with as little loſs as poſſible. His preſence was of ſervice to his troops. Lieutenant general Clayton was in danger of being out flanked by the enemy towards the river, and ſent for Bland's dragoons, who filled up the interval, but ſuffered greatly. The reſt of the Britiſh and Auſtrian cavalry paſſed through the openings left by the foot, and advanced to attack the houſhold troops of France, who being lined by foot, put them in diſorder. But the fortune of the day was ſoon fixed by the preſence of his Britannic majeſty in the poſts of the greateſt danger. He rode down the line, exhorted the Britiſh troops to fight for the honour of their country, led part of the infantry up in perſon, and the diſorder in which the cavalry had been put, was inſtantly repaired. For the infantry

Geo. II. 1743. advanced with ſuch intrepidity, that their lines deliberately opening to the impetuoſity of the French cavalry after they had repulſed that of the allies, cloſed again, and made ſuch a ſlaughter of their braveſt troops, that the French general ſaw the field was no longer tenable by his army. His majeſty by this time had, at the preſſing inſtances of the duke d'Aremberg, who was ſlightly wounded in the breaſt with a muſquet ball, and his other general officers, returned to his poſt on the right wing. His ſon, the duke of Cumberland, was in the hotteſt of the battle; his commanding officer, general Clayton, being killed, and himſelf wounded in the calf of the leg, while the French were ſtill continuing their attack towards the river with great fury and ſome advantage. But at laſt every obſtacle gave way to the intrepidity of the Britiſh troops, and Noailles, after loſing the flower of his army, ordered a retreat, which was greatly incommoded by ſome pieces of Hanoverian artillery brought to bear upon his left flank. Notwithſtanding the pretences of the French, that this retreat was made with great regularity, it is certain their troops were in the utmoſt pannic, and retired from all their poſts, though ſome of them were very well fortified, and very defenſible; till at laſt, inſtead of retreating, they fled with ſuch precipitation, that many of them, though they were ſtill maſters of the bridges over the Mayne, threw themſelves into that river and were drowned; while others, throwing down their arms, retired to the mountains, and not a few ſuffered themſelves to be cut in pieces by the purſuers.

Duke of Cumberland wounded.

The French defeated.

Loſs of the French.

The loſs of the French that day amounted to about 6000, a large proportion of which fell upon their officers, who ſought by their courage to repair the faults committed thro' their imprudence, and ſix ſtandards, with other trophies of war. Amongſt their ſlain were major general de Chabannes Mariolles, the brigadier generals viſcount de Coetlogen, duke de Rochechouart, marquiſſes de Vandeville and de Wargeomont, with ſeveral other perſons of high quality and diſtinction. Six of their lieutenant generals, five of their major generals, amongſt whom were two dukes, four brigadier generals, and three colonels, were wounded.

Reflection on their conduct.

Upon a candid review of the whole action, their cavalry, by being both better armed and better trained, was ſuperior to that of the allies; but their infantry behaved poorly. The madneſs of their generals was inexcuſable, nor can the conduct of Noailles himſelf, in ſome inſtances, be accounted for. For though his diſpoſitions for hemming in the allied army,

or

or obliging it to fight under vaſt diſadvantages, were univerſally allowed to be admirable, yet there ſeems to have been no immediate occaſion to oblige him to repaſs the Mayne, and truſt the execution of his ſcheme, which he had not ſufficiently explained, to the duke de Gramont and other young generals, whoſe fire and impetuoſity he could be no ſtranger to. He is ſaid to have expreſſed himſelf with great emotion when he ſaw his troops abandon their advantageous ſituation; but it does not appear why they were not better ſuſtained, conſidering he had about 16,000 men who had not paſſed the Mayne, and 12,000 at Aſchaffenburgh, who during the heat of the action, had they advanced upon the rear of the allies, might have thrown them into irreparable diſorder. It is ſaid, that he pleaded for his excuſe the diſorder he was in, and the neceſſity he was under of flying to his main army, when he ſaw it break the ſcheme he had concerted: but he never was heard to accuſe the duke de Gramont, who was his nephew, as being the main ſpring of his defeat. Geo. II. 1743.

The loſs of the allies amounted to about 2500 men. Beſides general Clayton, major general Monroy of the Hanoverians was ſlain; and beſides the duke of Cumberland, who had a horſe ſhot under him, and d'Aremberg, the earl of Albemarle, major general Huſk, colonel Ligonier, and colonel Pierce, were wounded. Loſs of the allies.

It is to this day matter of great ſpeculation why the allies did not purſue the advantages they might have gained by this victroy. The Britiſh miniſter, who was on, or near, the field of battle, and the Hanoverian generals, were greatly cenſured in England on that account. But perhaps political and prudential, as well as military, reaſons, contributed to ſtop the purſuit. His majeſty had marched to Germany only as an auxiliary to the queen of Hungary, and therefore ſome regard was to be paid to the ſentiments of her generals, who diſcovered a viſible backwardneſs to continue the purſuit. The ſentiments of the king of Pruſſia, that if he found the Engliſh and the allies grow too powerful in the empire, he would immediately declare for the French, were at this time no ſecret; and many, even of the proteſtant princes of the empire, began to expreſs their uneaſineſs on the ſame account, and at the diſtreſſed condition of the emperor, who had lately implored and obtained a neutrality for himſelf and his troops from the queen of Hungary; but found himſelf unable to maintain it. Reaſons for not purſuing the victory.

The

Geo. II. 1743.

The military motives were more obvious. The enemy had ſtill an army ſuperior to that of the allies; it was uncertain what ambuſcades they might have formed in the wood, to which great part of them had retreated, and from whence they eſcaped over the Mayne; and the paſſing that river in the ſight of the enemy, who were well provided with artillery, was a matter of great difficulty, and might have loſt to the allies all the fruit of their victory. But above all it is to be conſidered, that the common men had, for ſome days, received very little ſubſiſtance, and their horſes leſs; they had been many hours under arms, and were come off a long march, ſo that it cannot be ſuppoſed they could be in a condition for farther ſervice immediately; eſpecially as they had no proſpect of being ſupplied time enough to anſwer their neceſſities.

Notwithſtanding thoſe reaſons, which ſeem unanſwerably to juſtify the meaſures his majeſty purſued, marſhal Stair ordered general Campbel at the head of a body of horſe to advance to Dettingen and Wolſhiem, which he found abandoned, but the purſuit was countermanded; and though his majeſty continued on the field of battle (which laſted from ten in the morning to four in the afternoon) till ten at night, yet orders were then given to proceed to Hanau.

The allies march to Hanau, and leave their wounded.

Though this victory was compleat, yet the joy it gave in the camp of the allies, received a great check by their being obliged to leave their killed and wounded upon the field of battle, and proceed to a plain in their road to Hanau, where they lay all night under arms, while his majeſty was obliged to take up his quarters at Hernſtein. A ſhower of rain which fell in the night time, and continued till eight in the morning, proved fatal to many of the wounded; and all that lord Stairs could do for their relief, was to ſend a trumpet to marſhal Noailles, acquainting him, "That the king his maſter having thought proper to remove to Hanau, he had left an independent company in the field to take care of the wounded; and they were ſtrictly ordered to commit no hoſtilities; that, therefore the marſhal might ſend a detachment to bury their ſlain, and hoped that he would treat with humanity thoſe that were left behind." It is for the honour of the French general and his nation, that they punctually complied with his lordſhip's requeſt, by treating the wounded with the utmoſt tenderneſs and humanity; and the wounded who had been taken priſoners by the allies, were treated in the ſame manner.

The

The day after the battle the allied army arrived at Hanau, and were joined by the Heſſians and Hanoverians they expected, to the number of 12,000, beſides ſome other reinforcements. Marſhal Stair upon this propoſed, that as the numbers of the allies were then equal to that of the French, the latter ſhould be attacked by paſſing the Mayne, or that the allies ought to endeavour to cut off their retreat to the Rhine. It was matter of great ſurprize to the public that this propoſal was not agreed to; but his Britannic majeſty was no principal in the war. The princes of Germany, his allies, grew every day more and more uneaſy at the continuance of the war, and prince William of Heſſe, at their deſire, had made ſeveral journies to Frankfort and to Hanover, and was actually then at Hanau labouring to obtain peace for Germany from his majeſty of Great Britain. The ſolicitations of prince William were ſtrongly backed in a letter wrote to his majeſty by the diet of the empire, which the emperor had transferred to Frankfort, and another from the ſame body to the States General, deſiring thoſe two powers to join with them in mediating a peace. But the contents of thoſe letters being communicated to the queen of Hungary, ſhe refuſed the mediation of the diet upon very frivolous pretences; tho' her true reaſon was, becauſe, not having acknowledged the elector of Bavaria for emperor, ſhe would not acknowledge the authority of the diet at Frankfort.

Geo. II. 1743.

Mediation propoſed, but rejected by the queen of Hungary.

It muſt be owned, that the affairs of the houſe of Auſtria at this time wore ſo good an aſpect, that her Hungarian majeſty began to entertain ſome hopes of being able to indemnify herſelf on the ſide of Alſace, for the ſacrifice ſhe had made of Sileſia to the king of Pruſſia; and perhaps ſuch of the Britiſh miniſters who thought that the ſafety of Europe conſiſted in aggrandizing the houſe of Auſtria at the expence of France, did not diſcourage her in thoſe hopes.

Her projects.

The reader has already ſeen the haſty retreat of Broglio, the French general, from Pladling towards the Rhine, and the ineffectual applications made by the emperor and his general count Seckendorff, to bring him to ſtand a battle. The truth is, the emperor and France were now heartily tired of one another, and the intention of France was to appear only upon the defenſive, ſo as to take from the queen of Hungary all kind of pretext for invading her dominions. France was, with ſome reaſon, apprehenſive of an attack upon Alſace, where ſhe knew both the houſes of Lorrain and Auſtria had many friends, and therefore ſhe made that part of her dominions

The French retire towards France.

Geo. II. 1743. nions the principal object of her concern. Broglio knew this, and ſent a meſſage to the emperor, informing him, that the king his maſter had no objection to his making peace with the queen of Hungary. The poor prince was then at Frankfort, and without credit for the common neceſſaries of life, being obliged to borrow 40,000 crowns from marſhal Noailles for that purpoſe. He received Broglio's meſſage, however, with becoming ſcorn, ſaying, that he never would be inſtructed how to make peace by thoſe who were ſo ignorant how to make war.

Neutrality of the emperor.

It was about this time that the Auſtrian generals, Palfy and Berenclau, took the town of Fridberg, and then the latter reduced Landſperg. The emperor having removed to Frankfort on the 26th of June, and Seckendorff having returned to his army, the latter ſent to prince Charles of Lorrain, who then lay near Ingolſtadt, to acquaint him he had his Imperial majeſty's command not to act offenſively againſt the queen of Hungary, and to ſend his army into quarters of refreſhment in Swabia and Frankonia. The emperor, on taking this reſolution, wrote a letter to the directors of the circle of Swabia, acquainting them with it, and that his army was now a true Imperial army of the empire, and not to enter into any farther operations of war, hoping that his enemies would follow his example.

Prince Charles of Lorrain made uſe of this opportunity of making a feint towards the army of marſhal Noailles, which was now encamped at Affenbach. This occaſioned the marſhal, the army of the allies lying on the other ſide of the river, to burn his magazines, march off without beat of drum, and by the 6th of July to paſs the Rhine between Worms and Oppenheim.

Its terms. July 26.

Germany being now in a manner clear of the French armies, count Kevenhuller had orders from his miſtreſs to conclude a neutrality with the emperor. By this the latter was to remain neuter during the continuance of the war, and Bavaria was to remain in the queen of Hungary's hands till the concluſion of the peace. Branau and Straubingen were to be delivered up to the Auſtrians, and the French garriſon was to evacuate Ingolſtadt, which was to be garriſoned by Bavarian troops, but all the magazines and warlike ſtores to be delivered up to the Auſtrian generals.

This tranſaction does not deſerve the name of a treaty, nothing being ſtipulated on the part of the queen of Hungary, who, upon that account, and becauſe the emperor could not make good what he had ſtipulated, eaſily found means to

evade

evade the agreement. For Ingolſtadt being poſſeſſed by a French garriſon, the commander refuſed to give it up, though afterwards he was obliged to do it for want of proviſion, and to ſurrender himſelf and his garriſon priſoners of war, upon condition of their not being ſent to Hungary. Geo. II. 1743.

Prince Charles, upon the retreat of Noailles within the lines of Lauterberg in Alſace, found leiſure to pay a viſit, attended by Kevenhuller, to his Britannic majeſty at Hanau. A cartel between the allies and the French had been juſt ſettled at Frankfort for the exchange of priſoners by the earl of Albemarle and the count de Chanclos on the part of the allies, and the duke de Pecquigny and the count de Segur on that of the French. Prince Charles found his Britannic majeſty extremely occupied in concerting the means of either carrying on the war with vigour, or making a peace with ſafety. The queen of Hungary remonſtrated, that the latter could not be done, nor was it reaſonable that her patrimonial dominions ſhould be ſo much abridged as they had been, without her endeavouring at leaſt to get ſome equivalent for her loſſes. Theſe conſiderations ſeemed to have had their weight at that time, but others likewiſe operated ſtrongly. The approach of the allies had encouraged the chapter of Mentz to chuſe the count d'Aſtein, a prince devoted to the intereſt of the queen of Hungary and her family, for their archbiſhop and elector. Her Hungarian majeſty had been triumphantly crowned at Prague, and had received the homage of the ſtates of Upper Auſtria at Lintz, and all the inhabitants gave the ſtrongeſt evidences of their loyalty and attachment to her perſon. At the ſame time, the count de Montejo, ambaſſador extraordinary from the crown of Spain to the emperor, entered a proteſt, claiming in his maſter's name the almoſt undivided ſucceſſion to the Auſtrian dominions. This proteſt was looked upon as being made in concert with France, and as an evidence that the French were reſolved to watch every occaſion of renewing the troubles of Germany. Add to this, that the French, by their many breaches of faith, had actually forfeited all right to Lorrain, which ought to be reſtored to the queen's huſband.

Prince Charles viſits the king of England at Hanau.

A cartel ſettled with the French.

On the other hand, the motive for agreeing to a peace were likewiſe very powerful. Some mention has been already made of prince William of Heſſe Caſſel's negotiations for that purpoſe. They were encouraged by the Britiſh miniſter at Hanau, and had ſo promiſing an appearance, that the prince was veſted with full powers from the emperor, and laid

Account of the famous negotiations there.

Geo. II. laid before his Britannic majeſty the Imperial propoſals, 1743. which were,

1ſt, That all the French auxiliaries to the emperor, ſhould be diſmiſſed and diſcharged by the emperor out of his ſervice. 2dly, That upon that conſideration, the Auſtrians, on their ſide, ſhould evacuate the Upper Palatinate and Bavaria, and the other hereditary dominions of the emperor, all which were to be reſtored to him. 3dly, That ſome means ſhould be found to raiſe for his Imperial majeſty a monthly ſubſidy for the maintenance of his dignity, his family, and his army, till the ruined eſtate of his territories and finances could be repaired. 4thly, That the emperor ſhould put into the hands of his Britannic majeſty and the Imperial diet, all his claims upon the Auſtrian ſucceſſion. 5thly, That a general amneſty be agreed on by all parties, and priſoners of war to be mutually exchanged.

The Britiſh miniſter, through the whole of this negotiation, which afterwards made a very great noiſe in England, ſeems to have acted a very open and a very candid part. He fairly told prince William, that his maſter could not anſwer for the compliance of the queen of Hungary in evacuating Bavaria, eſpecially before the French troops had evacuated Germany; and that, even in that caſe, he could not anſwer for it. He thought, however, that her Hungarian majeſty was not averſe to an accommodation with the emperor, and he undertook that his Britannic majeſty ſhould do all he could to accommodate matters, provided that the French troops ſhould previouſly evacuate Germany.

A prince who is himſelf abſolute, has very little notion of government under a regulated conſtitution. Prince William imagined that it lay entirely in the breaſt of his Britannic majeſty to agree to his propoſitions, and that his majeſty was under the influence of his miniſter. As both of them had lent hitherto a willing ear to his propoſal, he thanked his majeſty in the name of the emperor, who, he ſaid, hoped that the diſmiſſion of the auxiliary troops of France would not be inſiſted upon till ſomewhat was done in regard to his own propoſition: and that, at the ſame time the French evacuated Germany, he might have aſſurance of being again put into poſſeſſion of his hereditary dominions. The king was not at all averſe to ground an accommodation upon the baſis laid down by prince William; and at laſt, after a great many conferences had paſſed, the following preliminaries were ſettled between prince William and lord Carteret.

1ſt, That

" 1ſt, That the emperor ſhould diſmiſs the French troops, and engage they ſhould evacuate Germany. Geo. II. 1743.

2dly, That he would, without delay, in conjunction with his Britannic majeſty, form a confederacy between the ſtates of the empire and the maritime powers, for the public good, in order to engage France to conſent to a ſolid and durable peace. Preliminaries for an accommodation between the emperor and the queen of Hungary,

3dly, That as by this ſtep, his Imperial majeſty forfeited all the hopes of ſuccour and ſupport from France, and his patrimonial ſtates being ſo conſumed and impoveriſhed by the war, as not to furniſh him a revenue adequate to his quality; a monthly ſubſidy ſhould be allowed him, to commence a month after ſigning of the treaty, and be continued till a method could be found of concerting with the ſtates of the empire the means of making a proviſion for their head ſuitable to his rank and dignity.

4thly, That as the queen of Hungary could not be brought to conſent to reſtore Bavaria and the Upper Palatine, till ſhe was ſatisfied with regard to his pretenſions on the Auſtrian ſucceſſion, his Imperial majeſty agreed to renounce for himſelf and his ſucceſſors all claims on this head.

5thly, That as ſoon as this act of renunciation was ſolemnly paſſed, the queen ſhould reſtore the emperor to all his hereditary dominions without exception or delay.

6thly, That the queen ſhould acknowledge the emperor in quality of the head and chief of the empire; and in return, his Imperial majeſty ſhould own her as queen of Hungary and Bohemia, and uſe his intereſt with the ſtates of the empire to revive the vote for Bohemia in the electoral college, ſuſpended at the laſt diet of the election.

7thly, That the better to eſtabliſh a ſolid peace, a general amneſty ſhould be proclaimed on both ſides; all confiſcations and ſequeſtrations annulled, and all hoſtages and priſoners of war releaſed."

As lord Carteret declared himſelf entirely ſatisfied with thoſe preliminaries, prince William imagined there now remained nothing but the executing. But a ſeparate article was inſerted to the following effect, " That his Imperial majeſty depended on his Britannic majeſty for the faithful execution of the articles he had agreed to, as the baſis of an accommodation between himſelf and the queen of Hungary; and as his Imperial majeſty put an intire confidence in him, he, the king, promiſed to ſerve him with all his intereſt, and engaged to procure him farther advantages. In earneſt of which, he was willing to advance the emperor immediately 300,000 crowns,

Geo. II. 1743. crowns, of which 10,000 were to be paid on signing the act, and the remainder in two equal payments of twenty and forty days. His Britannic majesty also promised to use his good offices with the queen of Hungary, that the electoral dominions of Bavaria should be favourably treated."

Prince William having succeeded thus far in his negotiation, even beyond what he had expected, was surprised when he understood that a British minister was accountable to the British parliament for all his steps, and that his being authorized by his majesty's presence, did not exempt him from censure, if the measures concluded upon were inconsistent with the interests of the kingdom. That lord Carteret for that reason declined executing the preliminaries, until they were communicated to the regency, and the other British ministers of state at London. Lord Carteret, therefore, sent a declaration to prince William, importing, "That his Britannic majesty, though he entirely approved of both the preliminary and the separate articles, would not determine on the signing of them till he had caused them to be communicated at London, and could know how far the regency would approve of them as the basis of an accommodation, in order for him to be certain that the parliament would have no objection to it, nor to the subsidy which was to be paid his Imperial majesty; that he was unwilling to abuse the confidence of the emperor, so far as to engage for what, perhaps, he might be unable to perform. That his majesty did not doubt but the project would gain the approbation of the British regency, in which case the signing would only be retarded for fifteen days. In the mean time, as a proof of his friendship, the king was willing to pay the first sum of 100,000 crowns, which should be reckoned as nothing in case the project was disapproved in England, otherwise it should be deducted from the 300,000 crowns stipulated by the separate article."

rejected by the British regency.

This declaration gave the prince of Hesse a very indifferent opinion of the British minister's sincerity, it being to him inconceivable, that when a king and his first minister were satisfied with a measure, there could be any farther difficulties about it. He urged the execution of the preliminaries, but to no purpose. The British minister, however, desired the emperor to accept of the 100,000 crowns to supply his immediate necessities, which his Imperial majesty declined doing, unless he was assured that no farther hostilities should be committed in Bavaria, and no demolitions, exactions, or sieges undertaken; but as his Britannic majesty had no authority from the court of Vienna to agree to those terms, they

Reasons for the rejection.

they were rejected. At laſt, on the 1ſt of Auguſt, the cou- Geo. II.
rier with the anſwer from the regency of Great Britain re- 1744.
turned to Hanau, "That they were of opinion it was better, till the accompliſhment of a general peace, to leave the burthen of ſupporting his Imperial majeſty on the court of France, who would ſoon be tired of the expence. That the emperor had not yet diſengaged himſelf from the court of Verſailles but by words: that, however, his true intereſt would be to throw his affairs into the hands of his Britannic majeſty without reſerve; ſince his only reſource lay in the terms that England could procure for him."

Secularizations propoſed.

That the reader may underſtand fully the reaſons for rejecting the preliminaries, he is to be informed, that part of the plan for raiſing the emperor a revenue of 6,000000 of florins a year, conſiſted in aſſigning certain territories in the empire, till a better proviſion ſhould be made for him, by ſecularizing the biſhoprics of Saltzburg and Wurtzberg; and in the mean time, whatever deficiencies of the aforeſaid ſum might happen, his Britannic majeſty was to make them good. It was, probably, from ſome conſiderations of the effect which thoſe ſtipulations, or others of the ſame kind, might have upon the minds of the Engliſh nation, many of whom began openly now to repine at the immenſe expenſe the war upon the continent had involved them into, that the regency at London thought proper to diſagree to the preliminaries.

It is certain that nothing but force and misfortune, together with the natural deſire of returning into the poſſeſſion of his hereditary dominions, prevailed with the emperor to make the conceſſions he had agreed to; and this was known to the regency at London. The miniſters of her Hungarian majeſty, who never heartily approved of the accommodation, but durſt not oppoſe the ſentiments of his Britannic majeſty, were not wanting to inſtill in the minds of the allies, that the emperor was in his heart ſtill connected with France, and that the moment a favourable turn of affairs for the French (which was far from being impoſſible) ſhould happen, he would make uſe of all his intereſt and authority, as emperor, to annul the agreement. They went even farther, and to Views of the Auſtrians.
inſinuate, that the empire never could be ſafe under ſo inſignificant a head; and that if the efforts of the allies in Italy could dethrone the king of Naples, his beſt courſe would be to accept that crown in lieu of the empire, and tranſport himſelf and family thither, and leave the Imperial dignity to the great duke. Even the moſt moderate of the partizans of

Geo. II. 1743. the houſe of Auſtria propoſed, that he ſhould conſent to the Great Duke being choſen king of the Romans.

This obſtinacy of the court of Vienna, which had agents at London, to repreſent the emperor in the moſt unfavourable light, was in fact one of the reaſons why the regency at London was induced to reject the propoſed accommodation. Prince William of Heſſe was greatly diſguſted at the inefficacy of the negotiation, when he imagined it to be ſucceſsful; but the queen of Hungary, as has been already ſhewn, declining the mediation of the diet of the empire, the deſtitute emperor had no alternative, but either to remain in his forlorn condition, or be relieved from it by the interpoſition of his Britannic majeſty. He, therefore, ordered his miniſter, the baron de Haſlang, to acquaint lord Carteret,

Propoſitions of the emperor for peace.

"That for the ſake of peace, his maſter the emperor, would allow the ſtrong towns of Bavaria to be garriſoned by neutral troops, and renounce all pretenſions to the Auſtrian ſucceſſion. That he would conſent to the aſſembling a neutral army in the empire, to add 15,000 of his own electoral troops to that army, and yield up the fortreſſes of Philipſburg and Kehl to the troops of the circle of Swabia. The emperor alſo offered his daughter in marriage to the archduke, (then about three years of age) and to procure that young prince to be elected king of the Romans, that the electoral dignity might be ſecured to the houſe of Auſtria; and that he would do all this under the arbitration of the maritime powers; provided, he was reinſtated in his hereditary dominions, though the ſtrong places of them were to be garriſoned by neutral troops."

Nothing could be more plauſible, and ſeemingly equitable, than thoſe propoſals. But the ſincerity of the emperor continued to be greatly doubted, and the Britiſh miniſter, well informed, that a ſtrong confederacy was formed againſt him at home, to make him anſwerable for every ſtep his maſter took abroad, declined any farther intermeddling on that head, and turned his attention to another negotiation. But before entering upon that, it is neceſſary to reſume the hiſtory of the war in Italy.

Count Gages has poſitive orders to fight the Auſtrians in three days.

The reſtleſs ambition of that firebrand of Europe, the queen of Spain, did not ſuffer the troops of that crown in Italy to enjoy the benefit of winter-quarters. Having diſplaced the duke de Montemar, for his inactivity, ſhe gave his ſucceſſor, the count de Gages to underſtand, that he muſt expect the ſame fate, if he did not inſtantly ſeek out the

enemy, and hazard all upon the fate of a battle. The juncture was favourable for the count, who was then at Bologna. He had but three days allowed him till he ſhould give the enemy battle, and if he neglected doing it in that time, he was ordered to reſign his command to count Mariani. Three thouſand irregulars, of Croats and Sclavonians, had, about this time, returned home, without leave, from the Auſtrian army, which was commanded by count Traun, by which he was conſiderably weakened. The king of Sardinia found himſelf in a ſituation that could afford the Auſtrians no aſſiſtance; and count Traun little thought of being attacked at that ſeaſon of the year. But ſecrecy being neceſſary to Gages, he amuſed the people of Bologna, by making a ball, and concealed his meaſures ſo, that his officers, one by one, and, at laſt, he himſelf, diſappeared before day-light. The marquis de Pavia, however, the Auſtrian miniſter, at Bologna, forming ſome ſuſpicions, found means, though the gates of Bologna were kept ſhut, to ſend a meſſenger, to put count Traun upon his guard. This precaution ſaved the Auſtrian army. For the count found time to collect his troops, and notwithſtanding all the expedition of de Gages, he found them drawn up to receive him on the 3d of February. Gages, upon this, made a pauſe, but Traun attacked him at Campo Santo. The Auſtrians and Piedmonteſe were about 20,000, and the Spaniards about 25,000. A very obſtinate and bloody battle enſued. The Spaniards, by the confeſſion of count Traun himſelf, routed the Auſtrian cavalry upon his left wing, but his infantry made a reſolute ſtand. Both parties fought from eight in the morning, till ſeven at night, by the light of the moon; and at laſt, the Spaniards retreated, but in good order, and carrying with them ſome colours, ſtandards, kettle-drums, and cannon, which gave them ſome claim to the victory. The Spaniards loſt about 3000 men, and the Auſtrians about 2000. The ſlaughter fell heavy amongſt the general and other officers. The count de Aſpremont, the Piedmonteſe general, was killed, as were two other general-officers, of great note, amongſt the Auſtrians, and the loſs of the Spaniards was in proportion.

Geo. II. 1743.

The battle of Campo Santo.

Loſſes on both ſides.

The battle of Campo Santo, as it was called, was fatal to the affairs of the Spaniards, though they claimed the victory. A general deſertion enſued amongſt their troops. They conſidered themſelves as fighting in a foreign quarrel, and ſacrificed to the impetuous ambition of an Italian princeſs.

Fatal to the Spaniards.

Geo. II. 1743. Count Traun was enabled to form a regiment of their deſerters, and Gages ſoon found his army reduced to 12,000 men. He turned his eyes to the king of Naples, and his ſolicitations were backed by the threats and entreaties of his Catholic majeſty; but that prince excuſed himſelf from ſending any reinforcements, as being ſtill under the apprehenſions of a bombardment from the Britiſh fleet. In this diſaſterous ſituation, Gages found himſelf unable to keep poſſeſſion of Bologna, to which he had retreated, and made a very diſorderly retreat to Rimini, where he took up a ſtrong camp, and continued there unmoleſted till the month of September.

Situation and views of the king of Sardinia.

Don Philip all this while continued in poſſeſſion of Savoy, and the king of Sardinia contented himſelf with guarding the paſſes into Piedmont. He expreſſed, however, great uneaſineſs at his ſituation, and Oſſorio, his miniſter, with his Britannic majeſty, threw out ſeveral intimations, that it was now time he ſhould have ſome adequate returns made him, for the great loſſes he had ſuſtained, in defence of the Auſtrian dominions. This was thought reaſonable by his Britannic majeſty, upon whoſe faith that prince had embarked ſo heartily as he did in the quarrel. But her Hungarian majeſty was not near ſo tractable now, as when the neceſſity of her affairs obliged her, in a manner, to implore his aſſiſtance. The French and Spaniards knew this, and that the paſſion of the king of Sardinia was to obtain poſſeſſion of Final, a ſea-port, in the Mediterranean, convenient for his dominions, but poſſeſſed by the Genoeſe, who had purchaſed the town and marquiſate of the ſame from the late emperor, at a very great expence. His Sardinian majeſty made it no ſecret that he expected to be put in poſſeſſion of that port and territory, by means of her Hungarian majeſty, and that the crowns of France and Spain had offered him poſſeſſion of the ſame. He likewiſe demanded other ceſſions of territory in Italy from her Hungarian majeſty, and promiſed, that if he was put into immediate poſſeſſion of what he claimed, he would again act with vigour in the common cauſe.

His demands and expectations,

The late emperor had ſome latent claims on account of non-performance of agreement by the Genoeſe, upon Final, which his daughter intended to revive, when the ſituation of her affairs could permit her, but all Europe conſidered this pretext as being captious and oppreſſive. She would, however, have made little difficulty in yielding up her claims to a place that was not in her own poſſeſſion; but his Sardinian majeſty

majeſty inſiſted upon being put in poſſeſſion of the Vigevaneſco, with that part of the duchy of Pavia, that is between the Po and the Theſſin, with the privilege of navigating on the Theſſin, together with the towns of Placentia and Bobbio, and their dependencies, and all the tract of land from the ſource of the Nura to the lake Magiore, and the frontiers of the Swiſs Cantons. Such was the price of his Sardinian majeſty's friendſhip. Geo. II. 1743.

Nothing but the awe, which the court of Vienna ſtood in, of the king of Great Britain, could have kept it within the bounds of decency, when thoſe terms were propoſed. Her Hungarian majeſty exclaimed againſt them, as being worſe than her worſt enemies would have demanded. She remonſtrated againſt the hardſhip of being obliged farther to diſmember her paternal dominions, and the bad policy of forcing, in a manner, the Genoeſe to become her enemies. But the Britiſh miniſter found little trouble in anſwering thoſe difficulties. The danger of being obliged to part with the whole of her dominions in Italy, unleſs ſhe was aſſiſted by the king of Sardinia, and the impotence of the ſtate of Genoa, were urged as motives for her compliance; and all ſhe could do, was to ſend Waſner, who had been her miniſter at the court of London, to Turin, to get the beſt terms for her he could. Waſner accordingly concluded the treaty, and brought it to Worms, where de Oſſorio was attending his Britannic majeſty, about the middle of Auguſt, and upon the 2d of September it was formally ſigned and executed, by the three plenipotentiaries. oppoſed by the queen of Hungary, but granted at laſt.

The firſt two articles are points of form, confirming preceding treaties. By the 3d, his Sardinian majeſty renounces all claims upon the duchy of Milan, and guaranties a-new the pragmatic ſanction. By the 4th, his Sardinian majeſty's troops are to act in concert with thoſe of the queen of Hungary, for repelling the invaſion of the Spaniards upon Italy. By the 5th article, her Hungarian majeſty ſtipulates to augment her army in Italy to 30,000 men, as ſoon as the ſituation of affairs in Germany would permit it; and his majeſty, the king of Sardinia, engages to keep and employ the number of 40,000 foot, and 5000 horſe, comprehending in it what will be neceſſary for the garriſons and defence of his own dominions. The 6th article gives the king of Sardinia the ſupreme command of both armies, when he ſhall be there in perſon. By the 7th article, the king of Great Britain, as long as it ſhall be neceſſary, towards favouring the opera- Summary of the articles of the treaty of Worms, 1ſt, 2d, 3d, 4th. 5th. 7th.

Geo. II. 1743. tions of the allied army, and as long as the danger of the allies, and of Italy, ſhall demand it, engages to keep in the Mediterranean ſea a ſtrong ſquadron of ſhips of war, and bomb-veſſels and fire-ſhips, the admiral and commanders whereof ſhall have orders to concert conſtantly and regularly with his majeſty the king of Sardinia, or with his generals, and with thoſe of her majeſty the queen of Hungary, who ſhall be neareſt at hand, the moſt proper meaſures for the ſervice of the common cauſe. The 8th article is as follows:

8th. "Moreover, and in order to aſſiſt in bearing the extraordinary expence, which his majeſty the king of Sardinia is, and will be obliged to ſupport, for raiſing and cauſing to act, a much greater number of troops, than his revenues can maintain, his majeſty the king of Great Britain engages to furniſh to him, for as long as the war, and the occaſion for it ſhall continue, a ſubſidy of 280,000 l. ſterling a year, to be paid every three months, and to commence from the firſt of February, 1742, new ſtile, being the day upon which the proviſional convention was ſigned, between the ſaid king and her majeſty the queen of Hungary; and the ſaid ſubſidy ſhall be punctually paid from three months to three months in advance, provided, however, that what ſhall have been advanced to his majeſty the king of Sardinia, before the ſignature of the preſent treaty, ſhall be reckoned into it."

9th. The 9th article contains no more than the ceſſions already mentioned, and a deſcription of the boundaries of the country

10th. ceded. The 10th article is proper to be tranſcribed, as it related to the famous ceſſion of Final. It is as follows.

"Beſides, as it is of importance to the public cauſe, that his majeſty the king of Sardinia ſhould have an immediate communication of his dominions with the ſea, and with the maritime powers, her majeſty the queen of Hungary and Bohemia, yields to him all the rights which ſhe may have in any manner, and upon any title whatſoever, to the town and marquiſate of Final, which rights ſhe yields and tranſfers, without any reſtrictions, to the king, in the ſame manner as ſhe does the countries deſcribed in the foregoing article; in the juſt expectation, that the republick of Genoa will facilitate, as far as ſhall be neceſſary, a diſpoſition ſo indiſpenſably requiſite, for the liberty and ſecurity of Italy, in conſideration of the ſum which ſhall be found due to the republick, without his majeſty the king of Sardinia, nor her majeſty the queen of Hungary, being obliged to contri-

bute

bute to the payment of the ſaid ſum; provided always, that the town of Final be, and remain for ever, a free port-town, as is Leghorn; and that it ſhall be allowable for his majeſty the king of Sardinia to re-eſtabliſh there the forts, which have been demoliſhed, or to cauſe others to be built, according as he ſhall judge convenient." Geo. II. 1743.

By the 11th article, the contracting parties mutually engage not to make either peace or truce without comprehending the above-mentioned ceſſions, and without ſtipulating to the king of Sardinia a reſtitution of that part of his dominions that had been ſeized. The 12th article binds the king of Sardinia to the intereſts of the other contracting parties, as long as the war may laſt in Italy, and to the concluſion of a peace in Germany, and of the ſame between Great Britain and Spain, otherwiſe the above-mentioned ceſſions to be void; but from the time of the entire accompliſhment of his engagements, the countries yielded to him were to be guarantied to him by the allies for ever. 11th. 12th.

By the 13th article, the queen of Hungary is left at liberty, when her enemies are driven out of Italy, to withdraw her troops; but upon requiſition from her, his Sardinian majeſty is to furniſh her with ſome of his own troops, for the defence of her dominions in Lombardy; and in like manner, at the requiſition of his Sardinian majeſty, ſhe is to furniſh him with troops, if neceſſary, for defending the paſſes into his kingdom, in caſe of invaſion by the enemy. 13th.

By the 14th article, none of the contracting parties are to make peace without the participation and conſent of the whole; and after the concluſion of the peace, the alliance is to ſubſiſt equally and unalterably. The 15th article runs as follows. 14th. 15th.

"His majeſty the king of Sardinia, and her majeſty the queen of Hungary and Bohemia, in gratitude for the generous concern of his Britannic majeſty, for the public ſecurity, and for theirs, and for that of Italy in particular, do not only confirm to the Britiſh ſubjects the advantages of commerce and navigation, which they enjoy in their reſpective dominions, but promiſe to ſecure them ſtill farther to them, and as far as it ſhall be found reaſonable and practicable, by a ſpecifick treaty of commerce and navigation, whenever his Britannic majeſty ſhall require it of them." By the 16th article, the States-General are invited to accede to the treaty, as principals; and by the 17th, other princes and ſtates, who have at heart the good of Europe, are invited to 16th. 17th.

Geo. II. 1743. do the ſame. The laſt article provides, that the ratifications ſhould be exchanged in ſix weeks at fartheſt.

18th. The treaty was accordingly ratified by the regency at London on the 20th of September. It made a great alteration in the affairs of Europe, but gave advantages to the enemies of thoſe who had managed it. They who were real friends, or pretended to be ſo, to the queen of Hungary, complained, that it ſtript her of too much in favour of an uncertain, ſelfiſh, ally, and her enemies exclaimed againſt the injuſtice of ceding Final, which was the property of another ſtate, meerly becauſe it had not power to maintain the poſſeſſion of it. The enemies of the Britiſh miniſter ſaid, that Great Britain had guarantied, by the 4th article of the quadruple alliance, the poſſeſſion of Final to the Genoeſe; and as the terror of the Britiſh fleet was the only motive upon which they would yield it up, the faith of the nation was at hazard. It was thought impolitic to provoke even a petty ſtate; and Genoa had hitherto never been wanting in ſhewing her reſpect to Great Britain. Beſides, it was ſaid, that the experiment was dangerous, and the king of Sardinia might as well have claimed to be put in poſſeſſion of Genoa itſelf; as Final, if repaired and fortified, and made a free port, would carry away all the Mediterranean trade from the Genoeſe. When the claims, mentioned in the treaty of Worms, of the queen of Hungary upon Final were looked into, they were found to be frivolous and ſhameful. Final had formerly belonged to Genoa, and had been wreſted from her by the houſe of Auſtria; nor was there the leaſt reſervation in the bargain, when ſhe re-purchaſed it from the late emperor. In ſhort, it was ſaid, that the king of Sardinia was aſpiring to become a maritime power, as he had already three or four ports in the Mediterranean.

Objections to, and reflections upon, the treaty of Worms.

On the other hand, nothing in the treaty was concluſive upon Great Britain to force the Genoeſe to part with their property, if they had an indiſputable right to it; ſo that the matter muſt be ſettled between the Genoeſe, the king of Sardinia, and her Hungarian majeſty.

March of the allied army to Worms.

After negotiations, viſits, and reviews, were over at Hanau, the allied army marched towards the Rhine, which it paſſed; and on the 30th of Auguſt, his Britannic Majeſty had taken up his quarters in the epiſcopal palace at Worms, being guarded by the city's regiment of horſe militia, and his army encamped in the neighbourhood. Palavicini, the Genoeſe miniſter, was ordered to attend, and compliment his Britannic

majeſty on the part of the republick; and being a ſhrewd, penetrating man, he had come to the knowledge of the contents of the treaty of Worms, and had communicated them to the republick. Their great aſſembly was immediately called, and notwithſtanding their weakneſs, and the exhauſted ſtate of their finances, they came to a ſecret reſolution, to throw themſelves upon the protection of the princes of the houſe of Bourbon, to fortify Final, and to raiſe an army for their protection. In the mean time, Palavicini, by their order, preſented a memorial to the Imperial diet at Frankfort, demanding the protection of the empire againſt the contracting parties in the treaty of Worms, by which the marquiſate of Final, a fief of the empire, was to be taken from the republick, and granted to the king of Sardinia. Geo. II. 1743.

Proteſt of the Genoeſe againſt the treaty of Worms.

By this time, notwithſtanding all the arts and menaces of the court of France, the Dutch troops, amounting to 20,000, were put in motion, with count Maurice of Naſſau at their head, and with orders to join the allied army in Germany. This reſolution procured a threatening letter from the French king to Fenelon, his ambaſſador at the Hague, which, with the declarations made by Pruſſia, ſeems to have been the true reaſon why the Dutch troops did not arrive ſoon enough to have any ſhare of action in Germany. Their rendezvous was appointed to be at Doeſberg, from whence they marched by the way of Mentz, ſo that they did not join the allied army till the end of September.

Dutch troops join the allies.

By this time, the allies had marched to Spires, and being now joined with the Dutch auxiliaries, certain intelligence came to his majeſty, that Noailles had on the 22d quitted his ſtrong lines upon the Quiech and at Lauterberg, and had carried his army into Upper Alſace. This had been done by orders of the court of France, to give them a handle for pretending, that every foot of German territory being now evacuated by their troops, whoever ſhould attack them, muſt do it in their own territories; and therefore, all Europe muſt conſider France as acting only on the defenſive, and her enemies as the aggreſſors. This ſtep was taken in concert with the king of Pruſſia, and though treated by the queen of Hungary as an idle evaſion, it gave a turn to the whole progreſs of the war. The allied army advanced to Germerſheim, where they began to fortify themſelves in a camp, and to demoliſh the French lines upon the Quiech.

who march to Spires.

While the allies lay at Worms, Mentzel, the famous partizan, left them with 4000 of the Auſtrian irregulars, and making

Exploits of Mentzel in Alſace.

Geo. II. 1743. making an irruption into Lorrain and Luxenburg, commenced a plundering war againſt the inhabitants, and diſtributed a kind of manifeſto, in his own name, inviting the inhabitants to return to their antient allegiance, under the houſe of Auſtria, and threatening deſtruction to all who ſhould ſtand out. This proceeding was held to be ſomewhat barbarous. Mentzel was conſidered all over Europe in no other light, than that of an avowed robber. The court of France ordered that he and his men ſhould be hanged, if they were taken; and Mentzel, on his part, threatened to make repriſals. He proceeded, in ravaging the country; he beat ſeveral French detachments, ſent out againſt him, and took ſeven mules laden with gold and ſilver, for paying the army in Alſace, and having no more plunder to expect, he attempted to burn the French magazines at Laudan; but failing in his deſign, he returned to Germany, with a prodigious booty.

Prince Charles fails in his project of paſſing the Rhine;

It now appeared, that the intention of the Auſtrians and their allies was to put the army under Noailles between two fires. Prince Charles, at the head of 64,000 men, had advanced to Briſgau, oppoſite to the Upper Alſace, and there he propoſed to have paſſed the Rhine. But all France was now alarmed, and though he made ſeveral brave attempts for that purpoſe, he could not effect it, the banks of the river being lined with upwards of 50,000 men, under the marſhal Coigni, beſides the army under Noailles, who was appointed to watch the motions of the allies upon the Quiech.

This failure of prince Charles, whoſe irregulars did prodigious things, and gained many advantages againſt the French, ſeems to have diſconcerted all the plan of operations, which had been laid down at Hanau. Marſhal Noailles had now leiſure to return to Lauter, with a ſtrong army, but the allies underſtanding the ſituation of affairs with prince Charles, marched back to their camp at Spires, and on the 11th of October, they proceeded to Mentz, from whence they went into winter-quarters. The Engliſh, Auſtrians, and Hanoverians, in Britiſh pay, returned to Flanders; the Dutch marched into Brabant and Guelderland, and the Heſſians, with the other Hanoverians, to their reſpective countries; the army under prince Charles, who was attended by Kevenhuller, marching into winter-quarters in the Upper Palatinate and Bavaria, about the ſame time.

which determines the Auſtrians and allies to go into winter-quarters.

A miſ-

A misunderstanding, which now prevailed amongst the generals of the allies, had afterwards great consequences upon affairs in England. From what has been said of the field-marshal Stair, the reader may suppose he was not formed for rivalship. Ever since the battle of Dettingen, he had been forming plans for attacking the French and France in the most sensible parts, but not being approved of, he attributed the failure of them to the ascendency of the Hanoverians in the councils of his majesty. In consequence of this prepossession, he imagined that the Hanoverian generals and ministers not only rivalled, but insulted, him; and that they were afraid of carrying on the war in earnest against the French. Some other general officers in the British army in private joined with him in sentiments, but he at last avowed them, and all England was surprized, when the duke of Marlborough, who served in the same campaign, solicited his dismission on the same account. His majesty would willingly have prevented the marshal from resigning upon a pretext, that however ill-founded, he knew would be popular in England; but he appeared determined, and obtained his dismission, with a commission to the States-General, to assure them of his Britannic majesty's friendship, which he executed. For, on the 31st of October, his lordship, in the audience of leave he had of their High Mightinesses, presented a memorial, the first paragraph of which contained an indecent insinuation, and was very much taken notice of. "The under-written ambassador extraordinary and plenipotentiary, said his lordship, has the honour to present this memorial to your High Mightinesses, in order to take leave of this republick. It is but natural, princes should employ, in their service, such as are most agreeable to them."

Geo. II. 1743.

See p. 259. Lord Stair resigns in disgust.

His reasons.

He executes a commission to the States-General.

This dry, resentful manner of expressing himself upon such an occasion, could not be very agreeable in the cabinet of his majesty, but it had the effect his lordship looked for; for it impressed many, even of the well-affected, in England with a notion, that great partialities had been shewn to the Hanoverians, in prejudice of the British. This was the real detriment which Great Britain received from his lordship's resignation. He had not display'd any extraordinary marks of military capacity, even before his Britannic majesty joined the army of the allies; and the success of the battle of Dettingen is now acknowledged to have been owing to the intrepidity and wisdom of his majesty, more than to the dispositions

Geo. II. 1743. positions formed by his lordſhip, who was too much actuated by a ſtrong averſion againſt France, as well as by perſonal reſentment.

But the king of Great Britain, whoſe troops appeared in Germany only as auxiliaries to the queen of Hungary, had other meaſures to keep. He was concerned in reſtoring the peace of the empire, which became every day more difficult, through the obſtinacy of the court of Vienna; and at laſt deſperate, by her rejecting all manner of accommodation with the emperor. The queen of Hungary, after taking poſſeſſion of Bavaria, obliged the ſubjects of that electorate to take an oath of fidelity to her, and eſtabliſhed a regency there. The moderation of his Britannic majeſty gave her pain, and ſhe had agents even in England, who had endeavoured to prepoſſeſs the public againſt any peace with France or the emperor, and who affected to talk, as if ſhe was independent of his Britannic majeſty, and the only true friend that the liberties of Europe and Great Britain had. At laſt, her meaſures, notwithſtanding all the remonſtrances of the court of England, awakened, as his Britannic majeſty had long foreſeen, the jealouſy of the king of Pruſſia.

Obſtinacy of the court of Vienna.

That prince did not conſider the queen of Hungary, as now carrying on a defenſive war, but puſhing for a plan of power deſtructive of the Germanic ſyſtem. His miniſter at the Hague had declared, that he would oppoſe the introduction of foreign troops into Germany; and as he, as well as the king of Great Britain, acknowledged the Imperial authority, which was diſowned by the queen of Hungary, he had made ſeveral efforts to moderate her revenge and ambition. He applied to the court of London to ſecond his endeavours, and profeſſed at the ſame time, that he had no intention to violate the treaty of Breſlau, concluded under the guaranty of his Britannic majeſty. But finding the court of Vienna the more inflexible, the more advances that were made to bring it to terms, he concluded that his turn would be the next, if her Hungarian majeſty was ſuffered to dethrone the emperor, which ſhe plainly intimated to be her deſign.

King of Pruſſia joins the emperor.

Upon the whole, he took the reſolution of re-eſtabliſhing the Imperial authority, and had a private interview both with the emperor and his general Seckendorff, who immediately acquainted the French court with what had paſſed. A very few days diſcovered the effects of the interview.

The French miniſter, de la Noue, at the diet of the empire, had preſented a memorial, encouraging the diet to proceed in the mediation it had undertaken, between the emperor and the queen of Hungary. This was anſwered by the latter, in which ſhe ſaid, amongſt many other violent things, "That it is allowed by the greateſt lawyers, that a war unjuſtly provoked, does not ceaſe to be defenſive, if, after having reſiſted the firſt attacks of the aggreſſor, it is carried even into his own dominions, to prevent his forming new enterprizes." This anſwer, together with the queen of Hungary's proteſt againſt excluding the vote of Bohemia, at the late election of emperor, and which the late elector of Mentz had refuſed to receive, was entered by the preſent elector, upon the journals of the diet, Sept. 23. The emperor complained of this in a circular letter. The queen of Hungary juſtified the elector, and the king of Pruſſia openly avowed the cauſe of the emperor. Geo. II. 1743.

See p. 631.

In this ſituation were the affairs of Germany, when the troops on both ſides retired into winter-quarters. It is now proper to review what paſſed in other places of Europe, that might affect the intereſt of England.

The END of the TWENTIETH VOLUME.

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